

City of Kelowna

Regular Council Meeting

AGENDA



Monday, March 20, 2017
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

This meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

3 - 6

PM Meeting - March 13, 2017

3. Committee Reports

3.1 Civic and Community Awards Steering Committee

7 - 8

To announce the 42nd Annual Civic and Community Award Finalists

4. Development Application Reports & Related Bylaws

4.1 4377 Kensington Drive, Z16-0042 - Gary Lupul

9 - 27

To rezone the subject property to facilitate the development of a second single family dwelling on the subject parcel.

4.2 BL11361 (Z16-0042) 4377 Kensington Drive - Gary Lupul

28 - 28

To give Bylaw No. 11361 first reading in order to rezone the subject property to facilitate the development of a second single family dwelling on the subject parcel.

4.3 1449 Ethel Street, HRA16-0001 - Donald McDonald and Linda Scott-McDonald

29 - 41

To enter into a Heritage Revitalization Agreement for the subject property to allow special events such as weddings, corporate events, fundraisers, and others; in exchange for long term preservation of a heritage resource.

- | | | |
|---|---|---------|
| 4.4 | BL11371 (HRA16-0001) 1449 Ethel Street - Donald McDonald and Linda Scott-McDonald | 42 - 52 |
| | To give Bylaw No. 11371 first reading in order to enter into a Heritage Revitalization Agreement to allow special events such as weddings, corporate events, fundraisers, and others; in exchange for long term preservation of a heritage resource | |
| 4.5 | 289-291 Valley Road - Z17-0002 - City of Kelowna | 53 - 80 |
| | To rezone the subject property from A1 Agricultural to P5 Municipal District Park, together with a Natural Environmental and Farm Development Permit to address stormwater drainage, farmland buffers and a road dedication for parking and access. | |
| 4.6 | BL11372 (Z17-0002) 289-291 Valley Road - City of Kelowna | 81 - 81 |
| | To give Bylaw No. 11372 first reading in order to rezone the subject property A1 Agriculture 1 zone to the P5 - Municipal District Park zone. | |
| 5. Bylaws for Adoption (Development Related) | | |
| 5.1 | Bylaw Adoption for OCP16-0027 / Z16-0075 (E of) Upper Canyon Drive | 82 - 83 |
| | To waive a condition of adoption of Official Community Plan Map Amending Bylaw No. 11355 and Rezoning Bylaw No. 11357, and to forward the Bylaws for adoption. | |
| 5.2 | (E of) Upper Canyon Dr, BL11355 (OCP16-0027) - Glenwest Properties Ltd | 84 - 85 |
| | Requires a majority of all members of Council (5)
To adopt Bylaw No. 11355 in order to amend the Future Land Use designation of portions of the subject property from S2RESH - Single/Two Unit Residential - Hillside designation to the PARK - Major Park/Open Space (Public) designation. | |
| 5.3 | (E of) Upper Canyon Dr, BL11357 (Z16-0075) - Glenwest Properties Ltd | 86 - 87 |
| | To adopt Bylaw No. 11357 in order to rezone portions of the subject property from RU1h - Large Lot Housing (Hillside) to P3 - Parks and Open Space and RU4h - Low Density Cluster Housing (Hillside area). | |
| 6. Mayor and Councillor Items | | |
| 7. Termination | | |



City of Kelowna Regular Council Meeting Minutes

Date: Monday, March 13, 2017
 Location: Council Chamber
 City Hall, 1435 Water Street
 Members Present: Deputy Mayor Mohini Singh, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben and Luke Stack
 Members Absent: Mayor Colin Basran
 Staff Present: Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming, Suburban & Rural Planning Manager, Todd Cashin*; Planner, Emily Williamson*; Urban Planning Manager, Terry Barton*; Parking Services Manager, Dave Duncan*; Planner, Lauren Sanbrooks*; Long Range Policy Planning Manager, James Moore*; Accountant, Matt Friesen*; Financial Planning Manager, George King*; Planner Specialist, Ross Soward*; Legislative Coordinator (Confidential), Arlene McClelland

(* denotes partial attendance)

1. Call to Order

Deputy Mayor Singh called the meeting to order at 1:35 p.m.

Deputy Mayor Singh advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Gray/Seconded By Councillor Stack

R185/17/03/13 THAT the Minutes of the Regular Meetings of March 16, 2017 be confirmed as circulated.

Carried

3. Report

3.1 Mission Creek Restoration Initiative Award

Staff:

- Displayed a PowerPoint Presentation summarizing the Mission Creek Restoration Initiative and rationale for receiving the award.
- Presented the Award to Deputy Mayor Singh on behalf of Council.

4. Development Application Reports & Related Bylaws

4.1 757 Raymer Road, Z17-0005 - Daniel Joinson

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Donn

R186/17/03/13 THAT Rezoning Application No. Z17-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 358 ODYD Plan 26557, located at 757 Raymer Rd, Kelowna BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the issuance of Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried

4.2 757 Raymer Road BL11368 (Z17-0005) - Daniel Joinson

Moved By Councillor Donn/Seconded By Councillor Given

R187/17/03/13 THAT Bylaw No. 11368 be read a first time.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Complimentary Downtown Parking for 2017 Small Shop Promotion Days

Staff:

- Provided an overview of the Small Shop Promotion Days and complimentary on street parking.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R188/17/03/13 THAT Council receives, for information, the report from the Manager, Parking Services, dated March 13, 2017, with respect to no-charge downtown parking on two (2) days in 2017;

AND THAT Council approves waiving on-street parking fees in the downtown area on the following two (2) dates:

Saturday, April 8, 2017

Saturday, October 21, 2017.

Carried

5.2 Heritage Review

Staff:

- Displayed a PowerPoint Presentation summarizing the Heritage Governance review process and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R189/17/03/13 THAT Council receives, for information, the report from the Policy & Planning Department dated March 13, 2017, with respect to the Heritage Governance Review.

Carried

Moved By Councillor Sieben/Seconded By Councillor Hodge

R190/17/03/13 THAT Council direct staff to bring forward the Heritage Asset Plan to a morning Council meeting for further discussion.

Carried

5.5 Volume 2 - Carryover, 2016 Financial Plan

Staff:

- Displayed a PowerPoint Presentation summarizing the 2017 Financial Plan Carryover and responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Hodge

R191/17/03/13 THAT the 2017 Financial Plan be increased by \$4,446,785 to provide for operating carryover projects and \$79,315,030 for capital carryover projects as summarized in Financial Plan Volume 2.

Carried

5.3 Downtown Kelowna Association 2017 Budget

Staff:

- Provided an overview of the Downtown Kelowna Association 2017 budget.

Moved By Councillor DeHart/Seconded By Councillor Donn

R192/17/03/13 THAT Council approves the Downtown Kelowna Association 2017 Budget as outlined in the report of the Revenue Accountant dated March 13, 2017;

AND THAT Council approves the 2017 levy of \$857,398 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Carried

5.4 Uptown Rutland Business Association 2017 Budget

Staff:

- Provided an overview of the Uptown Rutland Business Association 2017 budget.

Moved By Councillor Sieben/Seconded By Councillor Stack

R193/17/03/13 THAT Council approve the Uptown Rutland Business Association 2017 Budget as outlined in the report of the Revenue Accountant dated March 13, 2017;

AND THAT Council approve the 2017 levy of \$176,160 on Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Carried

5.6 Regional Growth Strategy: Draft Priority Projects Plan

Staff:

- Displayed a PowerPoint Presentation summarizing the Draft Priority Projects Plan for the Regional Growth Strategy and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

R194/17/03/13 THAT Council receives the report from the Planner Specialist, dated March 13, 2017 regarding the Regional Growth Strategy Priority Projects Plan.

Carried

6. Mayor and Councillor Items

Councillor Stack:

- Spoke to his attendance, on behalf of the Mayor, at an Overdose Prevention Meeting held by IHA last week and provided an update.

Councillor DeHart:

- Spoke to the Walk for Alzheimer's kick off next week.
- Spoke to the COHA Swinging with the Stars Fundraiser on March 18th.

Councillor Sieben:

- Congratulated the KSS Boys Basketball team for placing second in the 4A Provincials.

Councillor Hodge:

- Gave thanks for those who helped him during his recent hospital stay.

Councillor Gray:

- Spoke to her attendance at the Celebration of Life for Lake Country Councillor Owen Dickie.
- Congratulated new Chamber of Commerce Board.

Councillor Donn:

- Spoke to his attendance at the UBCO's Research Awards and Reception on March 10th.
- Made comments of support on recent Provincial announcement that they will be providing ride share later this year.
- Made comments on the local rental market and the need for a Regional approach.

Councillor Given:

- Spoke to her attendance at the EDC Labour Market Roundtable on Tuesday March 7th.

7. Termination

This meeting was declared terminated at 3:17 p.m.

Deputy Mayor



City Clerk

/acm

Report to Council



Date: March 20, 2017
File: 0610-53
To: City Manager
From: Amber Gilbert, Recreation Technician, Active Living & Culture
Subject: 42nd Annual Civic & Community Awards, Finalist Announcement

Recommendation:

THAT Council receives, for information, the report from the Active Living & Culture, Recreation Technician, dated March 15, 2017, that outlines the 42nd Annual Civic & Community Awards night, with the 2016 finalist names being announced during “public in attendance” on Monday March 21, 2017.

Purpose: To announce the 42nd Annual Civic and Community Award Finalists.

Background:

The annual awards program recognizes the outstanding achievements and contributions made in the city of Kelowna in 2016. There are 17 award categories to honour volunteers, artists, athletes, environmentalists and businesses. Up to three finalists have been selected in each category, with one recipient being announced during the awards ceremony.

- Bob Giordano Memorial Award - Coach or Sport Administrator of the Year
- Bryan Couling Memorial Award - Athletic Team of the Year
- Male and Female Athlete of the Year
- Augie Ciancone Memorial Award - Male & Female High School Athlete of the Year
- Young Male & Female Volunteer of the Year
- Teen Honour in the Arts
- Honour in the Arts
- Champion for the Environment - Awarded to an Individual and a Business
- The Central Okanagan Foundation - Volunteer Organization of the Year
- The Sarah Donalda Treadgold Memorial Award - Woman of the Year
- The Fred Macklin Memorial Award - Man of the Year
- Corporate Community of the Year - Small/Medium Business and Large Business

The Mayor's Reception, to recognize each of the deserving finalists, will be on Sunday, April 30, 2017, at the Laurel Packinghouse from 3 to 5 p.m. The reception serves as a special celebration for finalists to share with their nominator, and receive a custom designed recognition plaque from the City of Kelowna.

The 42nd Annual Civic & Community Awards Night, to formally announce the award recipients for each category, will be held on Wednesday May 10, 2017, at the Kelowna Community Theatre. Tickets go on sale March 20, 2017, and are available by phoning 250-469-8800. The cost is \$25 per ticket.

The award recipients are further recognized over the next year with their names on an individual name plate, placed in Jim Stuart Park. At the conclusion of the next year's Civic & Community Awards, the name plates will be replaced with the current award recipients and the name plates removed will be given to the past recipient as a keepsake.

Internal Circulation: Divisional Director, Active Living & Culture; Communications Coordinator, Communications & Information Services; Community & Neighborhood Services Manager, Active Living & Culture

Communications Comments: Communications will distribute news releases and media packages.

Considerations not applicable to this report:

Legal/Statutory Authority
Legal/Statutory Procedural Requirements
Existing Policy
Financial/Budgetary Considerations
Personnel Implications
External Agency/Public Comments
Alternate Recommendation

Submitted by:

A. Gilbert, Recreation Technician, Active Living & Culture

Approved for inclusion: J. Gabriel, Divisional Director, Active Living & Culture

cc: Divisional Director, Communication & Information Services
Divisional Director, Active Living & Culture

REPORT TO COUNCIL



Date: March 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z16-0042 **Owner:** Gary Lupul

Address: 4377 Kensington Drive **Applicant:** Gary Lupul

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single /Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 21 District Lot 167 ODYD Plan 27559, located at 4377 Kensington Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from Community Planning Department dated July 25, 2016;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the development of a second single family dwelling on the subject parcel.

3.0 Community Planning

Community Planning staff supports the proposal to rezone the parcel to facilitate the development of a second single family dwelling. The property is within the Permanent Growth Boundary in the North Mission/Crawford area of Kelowna. The parcel meets the Official Community Plan (OCP) Future Land Use

designation of S2RES – Single/Two Unit Residential and the policy of supporting densification of neighbourhoods through appropriate infill development. The proposed second dwelling is sensitive with respect to the building design, height and siting. The modest increase in density is supported by local amenities such as parks, schools, transit, and recreational opportunities in the immediate area.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within a 50m radius of the subject parcel.

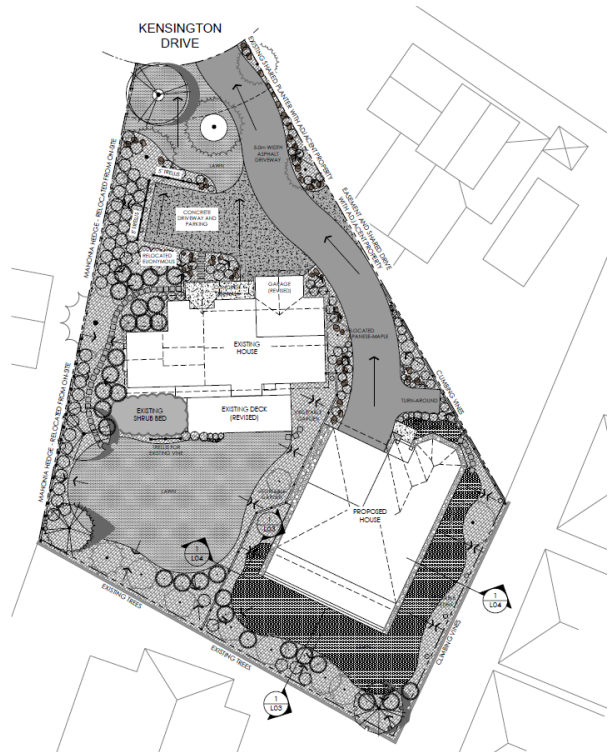
4.0 Proposal

4.1 Project Description

The subject application is to rezone the parcel to RU6 to accommodate the construction of a second dwelling on the parcel. If the Rezoning application is approved, a development variance permit will be considered by Council at a future date as the application would require a variance for parcel width due to the irregular shape of the parcel.

The parcel has a narrow frontage due to the location on the curve of the Cul de Sac and the minimum lot width as indicated in the subdivision regulations. The overall parcel area is more than three times the size required for two dwelling housing. As the parcel does not have rear lane access, the applicant is proposing shared driveway access to both the existing and new dwelling. This will ensure the amount of hard surfacing on the parcel, which in turn maximizes the amount of outdoor amenity area/green space on the parcel.

The proposed dwelling is located towards the rear of the parcel. It meets all of the zoning bylaw regulations, including required setbacks and site coverage. Overlook issues to adjacent properties are reduced as the proposed dwelling is single storey in height. The applicant is utilizing a Landscape Architect to address new site landscaping which includes additional trees, shrubs and lawn. The east fence will have climbing vines to provide screening for the adjacent parcels. The proposed dwelling provides setbacks larger than required from the rear adjacent multi-family site. All of these factors will increase the privacy of the subject parcel and those adjacent to it.



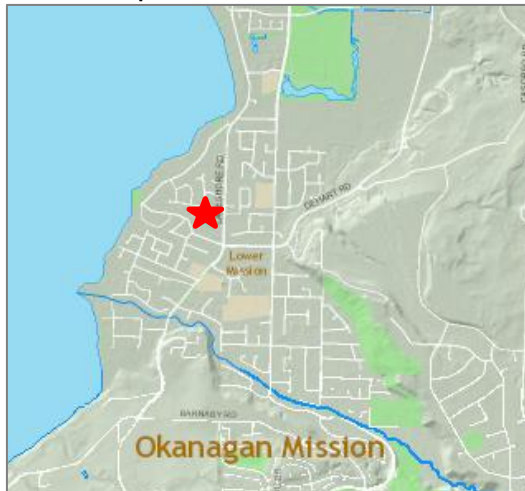
4.2 Site Context

The parcel is within the South Mission/ Crawford area at the end of a Cul de Sac. The parcel is within the Permanent Growth Boundary with easy access to Lakeshore Road. The Rezoning request aligns with the OCP Future Land Use of S2RES – Single/Two Unit Residential. The site provides a transition from the adjacent MRL – Multiple Unit Residential (Low Density) to the predominantly single family dwelling neighbourhood.

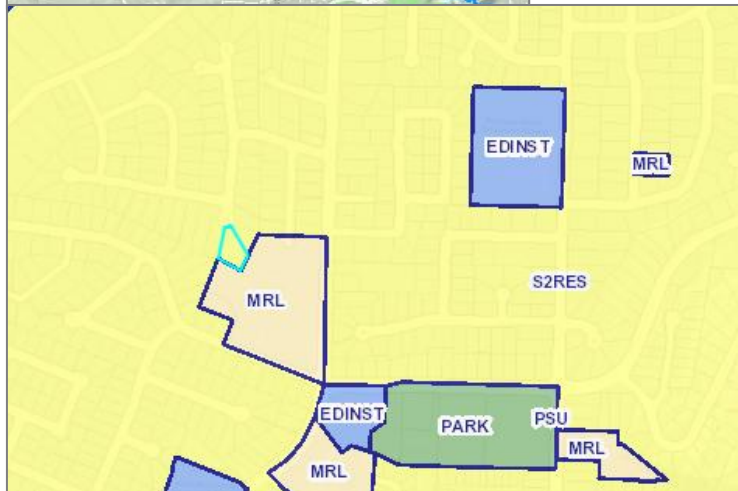
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Housing
East	RU1 – Large Lot Housing	Single Family Housing
South	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing
West	RU1 – Large Lot Housing	Single Family Housing

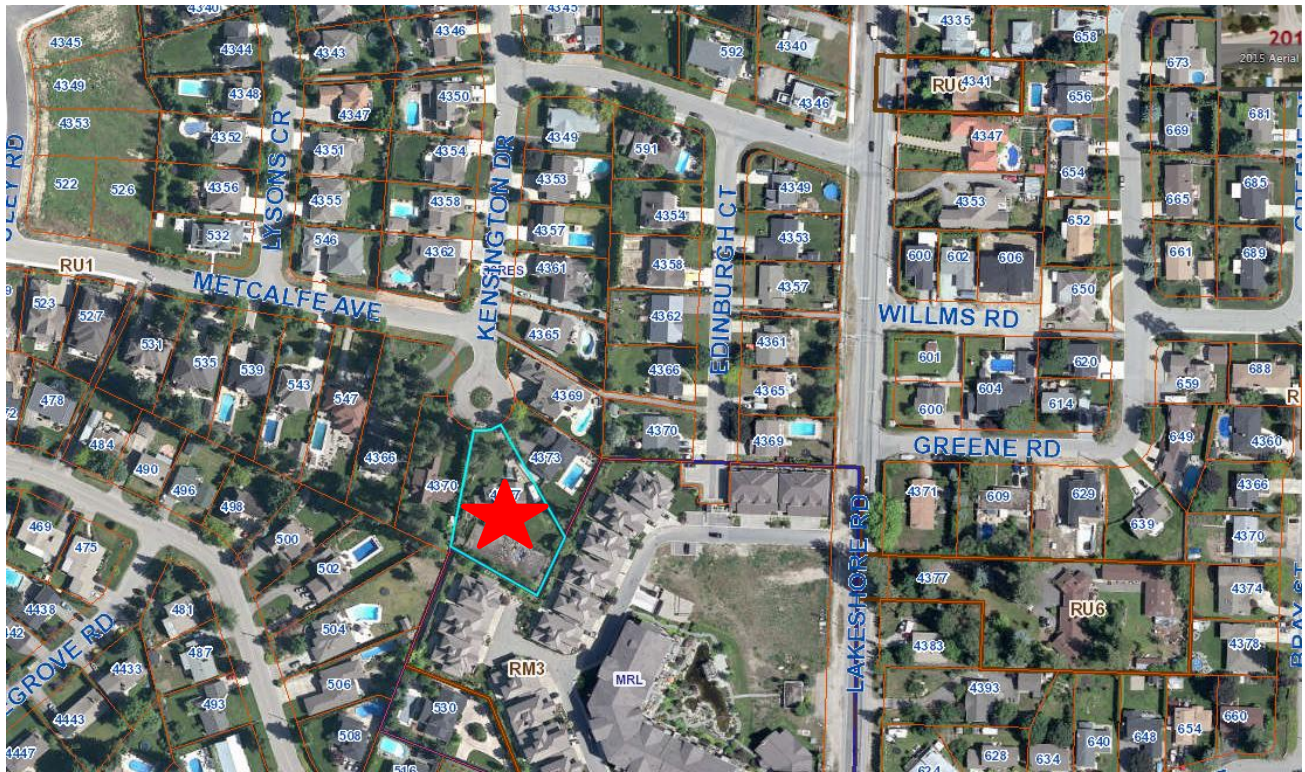
Context Map:



Future Land Use:



Subject Property Map: 4377 Kensington Drive



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700 m ²	2307 m ²
Minimum Lot Width	18 m	17.03 m ❶
Minimum Lot Depth	30 m	56.94 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	21%
Maximum Site Coverage (buildings, driveways and parking)	50%	38%
Maximum Height	9.5 m	4.19 m
Minimum Front Yard	4.5 m	24.6 m to existing dwelling
Minimum Side Yard (east)	2.0 m	2.0 m
Minimum Side Yard (west)	2.0 m	26.81 m
Minimum Rear Yard	7.5 m	15.64 m
Other Regulations		
Minimum Parking Requirements	4 stalls	+5 stalls
Minimum Private Open Space	25 m ² per dwelling	Exceeds requirements
❶ Indicates a requested variance to the minimum lot width of 18.0 m to 17.03 m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Complete Suburbs.¹ Support a mix of uses within Kelowna's suburbs (see Map 5.1 – Urban Core Area), in accordance with “Smart Growth” principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 – Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Compact Urban Form.² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Refer to Attachment "A".

7.0 Application Chronology

Date of Application Received: July 12, 2016
Date Public Consultation Completed: November 12, 2016
Date of Amended Plans Received: January 16, 2017

Report Prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum
Site Plan
Conceptual Elevations
Landscape Plan

CITY OF KELOWNA

MEMORANDUM

Date: July 25, 2016
File No.: Z16-0042

To: Community Planning (LK)

From: Development Engineering Manager(PI)

Subject: 4377 Kensington Road

RU1 to RU6

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm diameter PVC water service. Two 19mm copper or 25mm poly water services are required to meet current by-law requirements. The water service requirements can be provided by the City at the owner's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Road Improvements

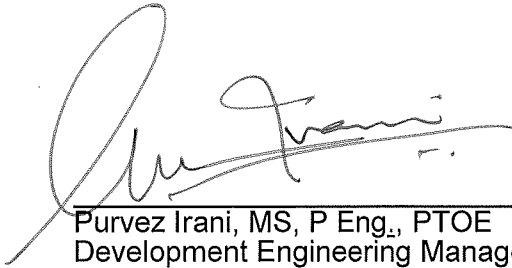
- (a) Kensington Rd has been upgraded to an urban standard along the full frontage of this proposed development therefore no further upgrades are required.

5. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits or splash pads.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

A handwritten signature in black ink, appearing to read 'Purvez Irani', is written over a horizontal line.

Purvez Irani, MS, P Eng., PTOE
Development Engineering Manager
SS

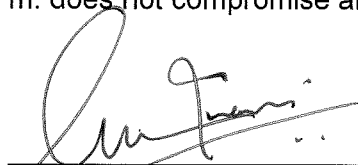
CITY OF KELOWNA

MEMORANDUM

Date: July 25, 2016
File No.: DVP16-0168
To: Community Planning (LK)
From: Development Engineer Manager (PI)
Subject: 4377 Kensington Road

The Development Engineering comments and requirements regarding this DVP application are as follows:

This development variance permit application to vary the required frontage from 18.0 m to 17.03 m. does not compromise any municipal services.



Purvez Irani, MS, P Eng., PTOE
Development Engineering Manager

SS

CITY OF KELOWNA

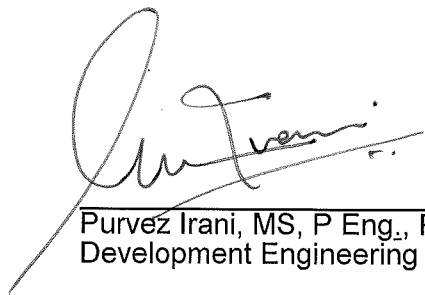
MEMORANDUM

Date: July 26, 2016
File No.: DP16-0169
To: Community Planning (LK)
From: Development Engineering Manager (PI)
Subject: 4377 Kensington Road

The Development Engineering comments and requirements regarding this Development Permit application are as follows:

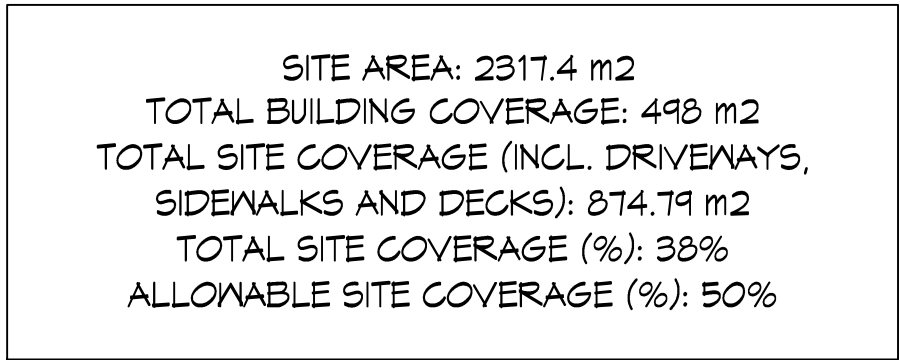
1. General.

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z16-0042.



Purvez Irani, MS, P Eng., PTOE
Development Engineering Manager

SS



SCHEDULE A: REVISIONS

1	<ul style="list-style-type: none">REMOVED DECK AREAS FROM TOTAL SITE COVERAGE BECAUSE ALL DECKS INVOLVED ARE LOWER THAN HEIGHT REQUIRED FOR INCLUSIONADDED/REMOVED DIMENSIONSUPDATED DRIVEWAY, BUILDING AND TOTAL SITE COVERAGE
2	<ul style="list-style-type: none">REPLACED 2-CAR GARAGE W/ 2- 3.81m x 6.0m PARKING STALLS SET BACK 4.0m FROM NEST PROPERTY LINE

GENERAL NOTES

1. THESE PLANS HAVE BEEN DESIGNED AND DRAFTED IN ACCORDANCE WITH THE BRITISH COLUMBIA BUILDING CODE 2012 AND THE CANADIAN WOOD COUNCIL, SPAN BOOK 2004 EDITION. ALL STRUCTURAL MEMBERS HAVE BEEN DESIGNED FOR A LOCAL SNOW LOAD OF 2.5KPA. CONTRACTOR TO VERIFY LOCAL SNOW AND RAIN LOAD GUIDELINES PRIOR TO CONSTRUCTION.
2. IT IS THE RESPONSIBILITY OF THE BUILDING OWNER AND/OR BUILDER TO ENSURE CONSTRUCTION COMPLIES WITH APPLICABLE BUILDING CODES AND BYLAWS AND CONFORMS TO ACCEPTABLE BUILDING PRACTICES.
3. ALL CONSTRUCTION, MATERIALS, AND EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND IN A TIMELY FASHION.
4. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON THE DRAWINGS AND ON THE BUILDING SITE BEFORE COMMENCING CONSTRUCTION.
5. IN THE EVENT OF A DISCREPANCY BETWEEN SCALED DIMENSIONS AND THOSE NOTED ON THE DRAWINGS, THE LATTER SHALL TAKE PRECEDENCE.
6. LUMBER SPECIES AND GRADES TO BE AS FOLLOWS UNLESS NOTED OTHERWISE:
JOISTS, RAFTERS, STRINGERS, PLATES: DOUGLAS FIR #2 & BETTER.
STUDS: D, FIR OR SPF STUD GRADE
POSTS, BEAMS AND LINTELS: #2, D, FIR OR BETTER.
SILLS, SLEEPERS AND PLATES IN CONTACT WITH CONCRETE: PRESSURE TREATED DOUGLAS FIR.
FLOOR AND WALL SHEATHING TO BE MIN. 15.5MM U.N.O. ROOF SHEATHING TO BE MIN. 12.5 U.N.O.
7. ALL LINTELS TO BE MINIMUM 2-38X235 UNLESS NOTED OTHERWISE, AND TO HAVE MINIMUM 35MM END BEARING.
8. SOLID BLOCKING REQUIRED BETWEEN JOISTS AND RAFTERS AT BEARING WALLS.
9. 1 ROW OF CROSS BRIDGING SHALL BE PROVIDED MID-SPAN BETWEEN FLOOR JOISTS AT A SPACING NO GREATER THAN 2100MM AS PER CBC 1989 9.2.3.9.4.
10. LEDGERS AND FOUNDATION SILL PLATES SHALL BE BOLTED TO CONCRETE FOUNDATION WITH 15.5MM DIAM. ANCHOR BOLTS @1220MM O/C UNLESS NOTED OTHERWISE.
11. NAILING SCHEDULE FOR FRAMING TO CONFORM TO NATIONAL STANDARDS.
12. ROOF VENTS SHALL BE PROVIDED TO A MINIMUM 1:300 OF THE INSULATED CEILING AREA. ROOF, GABLE AND/or EAVE TYPE VENTS SHALL BE UNIFORMLY DISTRIBUTED ON OPPOSITE SIDES OF THE BUILDING AND AT TOP AND BOTTOM OF THE ATTIC SPACE. ALL VENTS SHALL BE DESIGNED TO PREVENT THE ENTRY OF INSECTS, SNOW, OR RAIN.
13. MINIMUM 63MM CONTINUOUS AIRSPACE TO BE MAINTAINED TO ALLOW AIRFLOW FROM ROOF VENTS TO ATTIC SPACES.
14. CONTINUOUS ULTRA-VIOLET RESISTANT 6MM POLY VAPOUR BARRIER TO BE INSTALLED ON THE WARM SIDE OF INSULATION IN ALL EXTERIOR WALLS AND CEILINGS.
15. MINIMUM INSULATION REQUIREMENTS ARE AS FOLLOWS (CONTRACTOR TO VERIFY WITH LOCAL BUILDING CODES IF INSULATION SHALL BE REQUIRED OR DECREASED FROM THE FOLLOWING VALUES):
ROOF, JOISTS: R-32
ATTIC SPACES: R-40
FRAMED WALLS: R-20
SUSPENDED FRAMED FLOORS: R-28
SUSPENDED CONCRETE FLOORS: R-12
CONCRETE FOUNDATION WALLS: R-12
CONCRETE SLAB ON GRADE: R-12
16. CRAWLSPACES, HEATED OR UNHEATED, SHALL BE NATURALLY VENTED TO A MINIMUM 1:500 OF THE FLOOR AREA. ALL VENTS SHALL BE UNIFORMLY DISTRIBUTED AND CONSTRUCTED TO PREVENT THE ENTRY OF INSECTS, SNOW OR RAIN.
17. ALL ATTIC AND CRAWL SPACES TO HAVE AN MINIMUM 500MM X 700MM ACCESS OPENING PROVIDED.
18. CONTRACTOR TO ENSURE PROPER INSTALLATION OF PLUMBING, HEATING, AND ELECTRICAL EQUIPMENT AND MATERIALS AS PER THE MANUFACTURER'S SPECIFICATIONS AND IN ACCORDANCE WITH THE B.C.B.C.
19. ALL STAIRS, LANDINGS, BALCONIES, AND PORCHES HIGHER THAN 600MM (OR 2 RISERS) ABOVE GROUND SHALL BE PROTECTED WITH GUARDS AT ALL OPEN SIDES. GUARDS SHALL BE DESIGNED TO PREVENT CLIMBING AND HAVE NO OPENING GREATER THAN 100MM. INTERIOR GUARD HEIGHT SHALL BE MINIMUM 900MM AND EXTERIOR GUARD HEIGHT SHALL BE MINIMUM 1070MM.
20. ALL WINDOWS SHALL BE DOUBLE GLAZED OR INSULATED GLASS.
21. BEDROOM EGRESS: PROVIDE MINIMUM NET CLEAR OPENING OF 0.32 METERS SQUARED AND NO DIMENSION LESS THAN 380MM. MAXIMUM HEIGHT OF WINDOW FROM SUBFLOOR TO FINISHED WINDOW SILL TO BE 1500MM.
22. ALL CERAMIC WALL TILE INSTALLED IN AREAS PRONE TO WATER AND/OR PHYSICAL IMPACT TO BE UNDERLAIN WITH 12.7MM REINFORCED CONCRETE BACKER BOARD.
23. EXHAUST FANS, RANGE HOOD, AND CLOTHES DRYER TO VENT OUTSIDE VIA METAL DUCTS. EXHAUST VENTILATION RATE:
BATHROOM - 25 L/S (50 CFM)
KITCHEN - 40 L/S (80 CFM)
24. SMOKE DETECTORS SHOULD BE CONNECTED TO THE RESIDENCE POWER SOURCE (110V).
25. CLIMATIC DATA FOR THE DESIGN OF BUILDINGS IN KELOWNA:

GROUND SNOW LOAD	SS 1.8kPa
	SR 0.1kPa
HOURLY WIND PRESSURES	1/10 0.34kPa
	1/30 0.43kPa
	1/100 0.53kPa
26. SEISMIC

ZA	1
ZV	1
27. FROST DEPTH

	600MM
--	-------
28. SPECIFIED SNOW LOAD: $(0.8 \times 1.8kPa + 0.1 kPa) = 1.5kPa$

4377 KENSINGTON DRIVE
LOT 21, DL 167, PLAN 27559

A large, dense, green weeping tree with a thick, dark brown trunk, set against a white background. The tree has many long, thin, drooping branches covered in small green leaves, creating a full, rounded canopy. The trunk is thick and gnarled, with a few smaller branches extending from it. The overall shape is somewhat triangular, with the widest part at the top. The background is plain white, and the tree is positioned in the center of the frame.

Willow
CADD
Services
1371 ORCHARD DRIVE,
KELOWNA, B.C. V1Y 3V1
PH. (778) 215-0967

[illegible]

JOB TITLE
PROPOSED
DEVELOPMENT
4377
KENSINGTON
DRIVE, KELOWNA

DRAWING TITLE

SITE PLAN AND
SITE COVERAGE

DATE	JULY 5/2015
DRAW BY	D.P.
JOB No.	WCS 02-15
SCALE	1:150
DRAWING No.	

A1



[illegible]

PROPOSED
DEVELOPMENT
4377
KENSINGTON
DRIVE, KELOWNA

PROPOSED HOUSE ELEVATIONS

DRAWN BY
D.P.

SCALE 1:50

A3





JOB TITLE

PROPOSED
DEVELOPMENT
4377
KENSINGTON
DRIVE, KELOWNA

DATE	JULY 5/2015
DRAWN BY	D.P.

SCALE
1:50

A4

[illegible]

PROPOSED
DEVELOPMENT
4377
KENSINGTON
DRIVE, KELOWNA

DRAWING TITLE

EXISTING HOUSE
EAST AND WEST
ELEVATIONS

DATE
JULY 5/2015

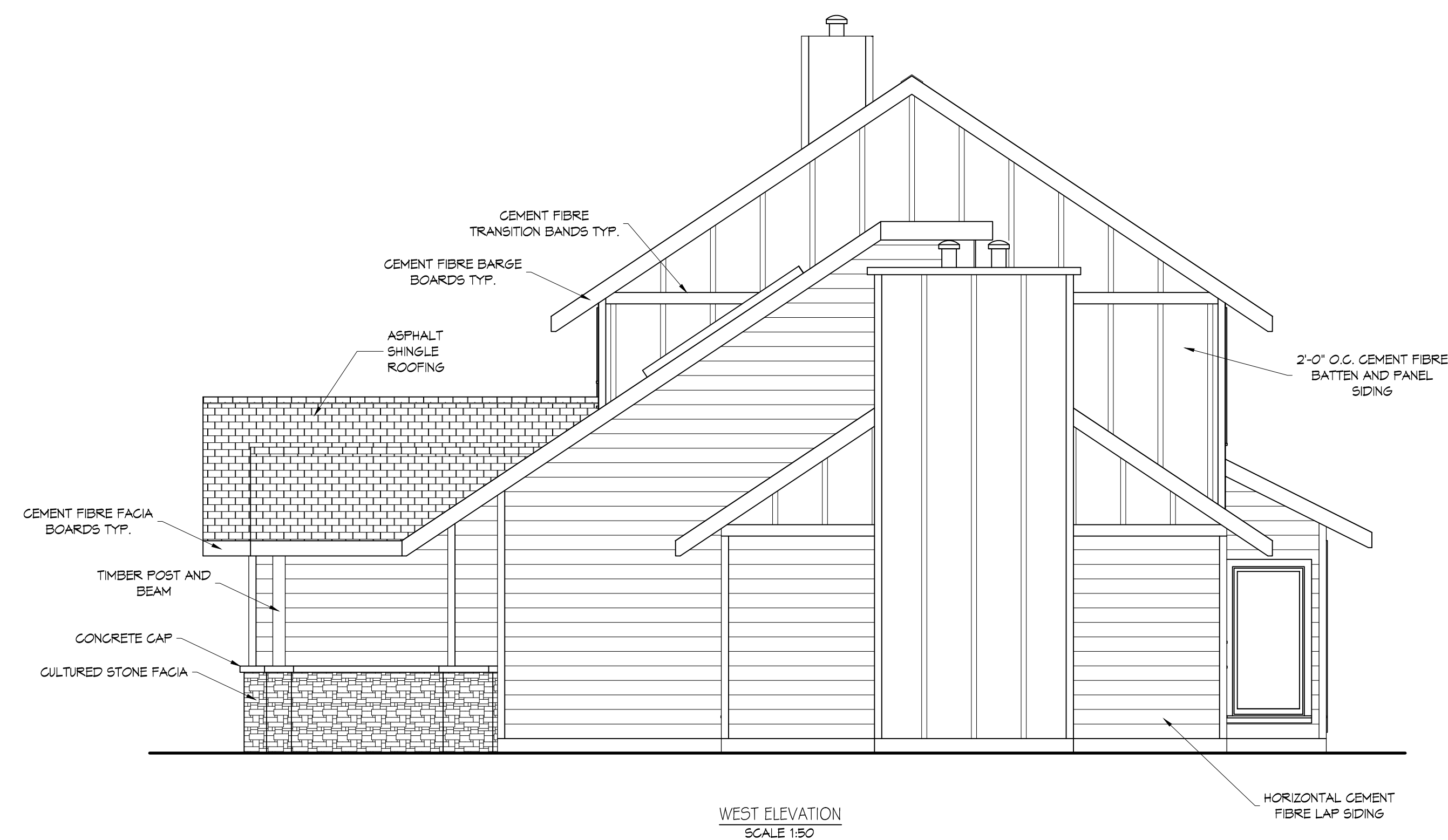
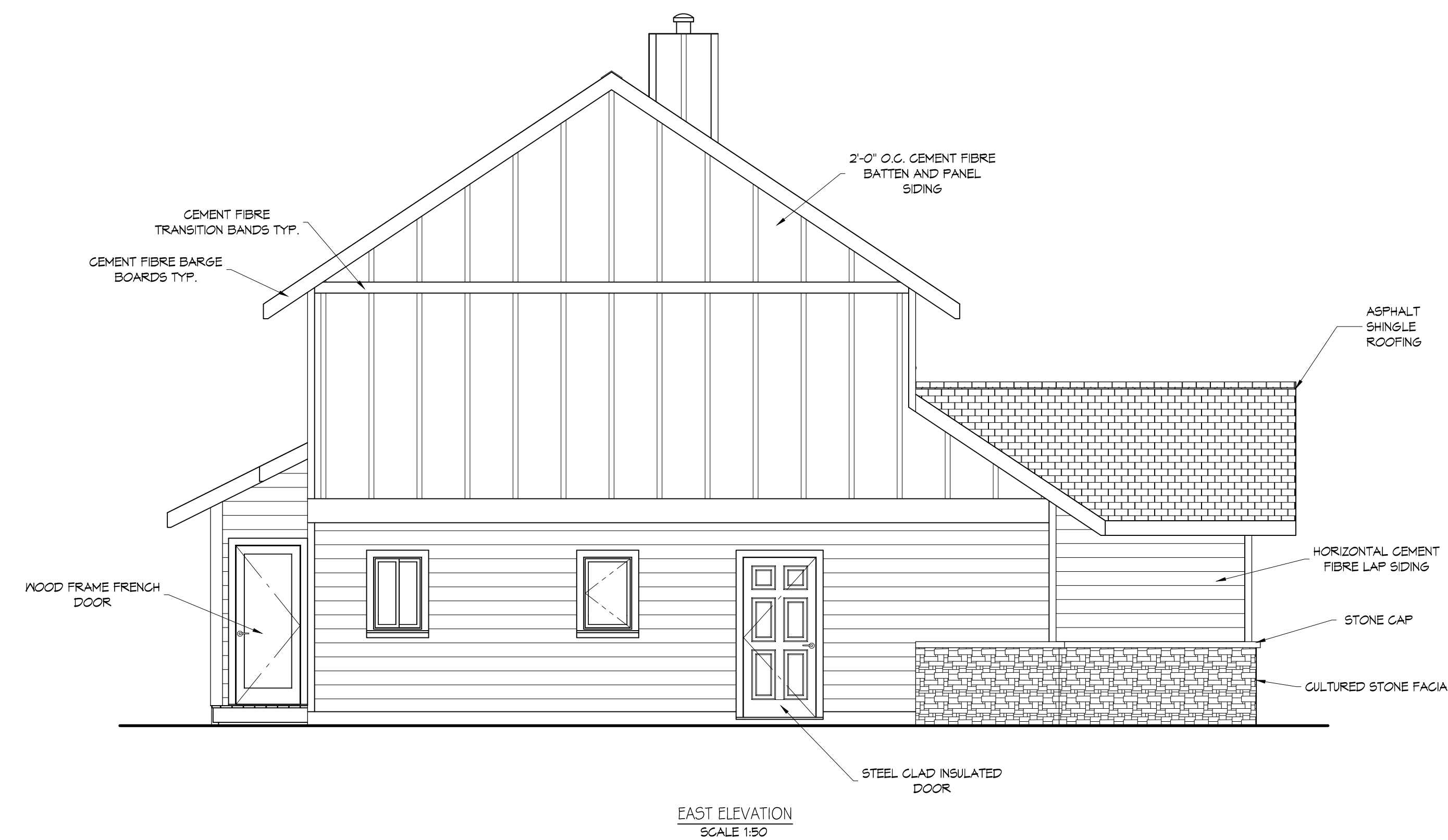
DRAWN BY
D.P.

JOB No.
WCS 02-15

SCALE
1:50

DRAWING No.

A5





BRITISH COLUMBIA LAND SURVEYOR'S SITE PLAN SHOWING EXISTING
HOUSE ON LOT 21, DISTRICT LOT 167, ODYD, PLAN 27559.

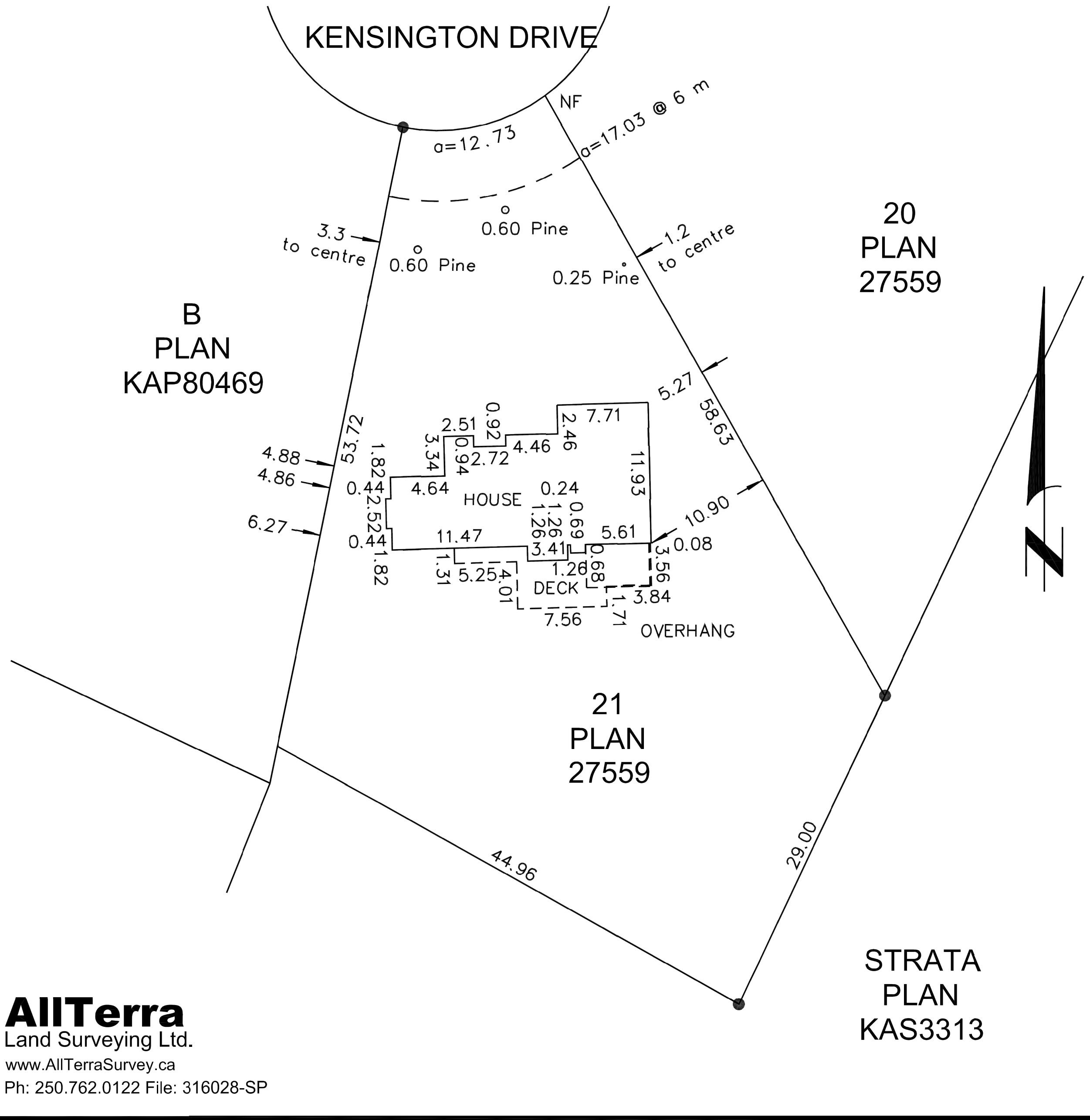
PID: 004-795-130
CIVIC ADDRESS: 4377 Kensington Drive
CLIENT: Lupul

Lot dimensions shown are derived from Land Title Office records.

Scale 1:500 Metric. Distances shown are in metres and decimals thereof.

This plan is based upon a field survey completed on March 31, 2016.

- Denotes Iron Post found
- NF Denotes nothing found



AllTerra
Land Surveying Ltd.
www.AllTerraSurvey.ca
Ph: 250.762.0122 File: 316028-SP

1 EXISTING CONDITIONS - AIR PHOTO
SCALE: APPROX. 1:200

2 EXISTING CONDITIONS - SITE SURVEY
SCALE: NTS

BLA
Landscape Architecture

BALDERSTON LANDSCAPE ARCHITECTURE LTD.
716 LAWSON AVENUE, SUITE A
KELOWNA, BC V1Y 6S8
t: 1.250.860.2974
e: elizabeth@blastudio.ca

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SURVEY INFORMATION
PREPARED BY: AllTerra Land Surveying Ltd.
COORDINATE SYSTEM:
COMPILED DATE: 2016/04/06

SEAL

REVISIONS			
NO.	DATE	ISSUE/REVISION	APP.
1	2016.07.25	DEVELOPMENT PERMIT	GL

PROJECT/CLIENT
4377 KENSINGTON DRIVE
LUPUL PROPERTIES LTD.

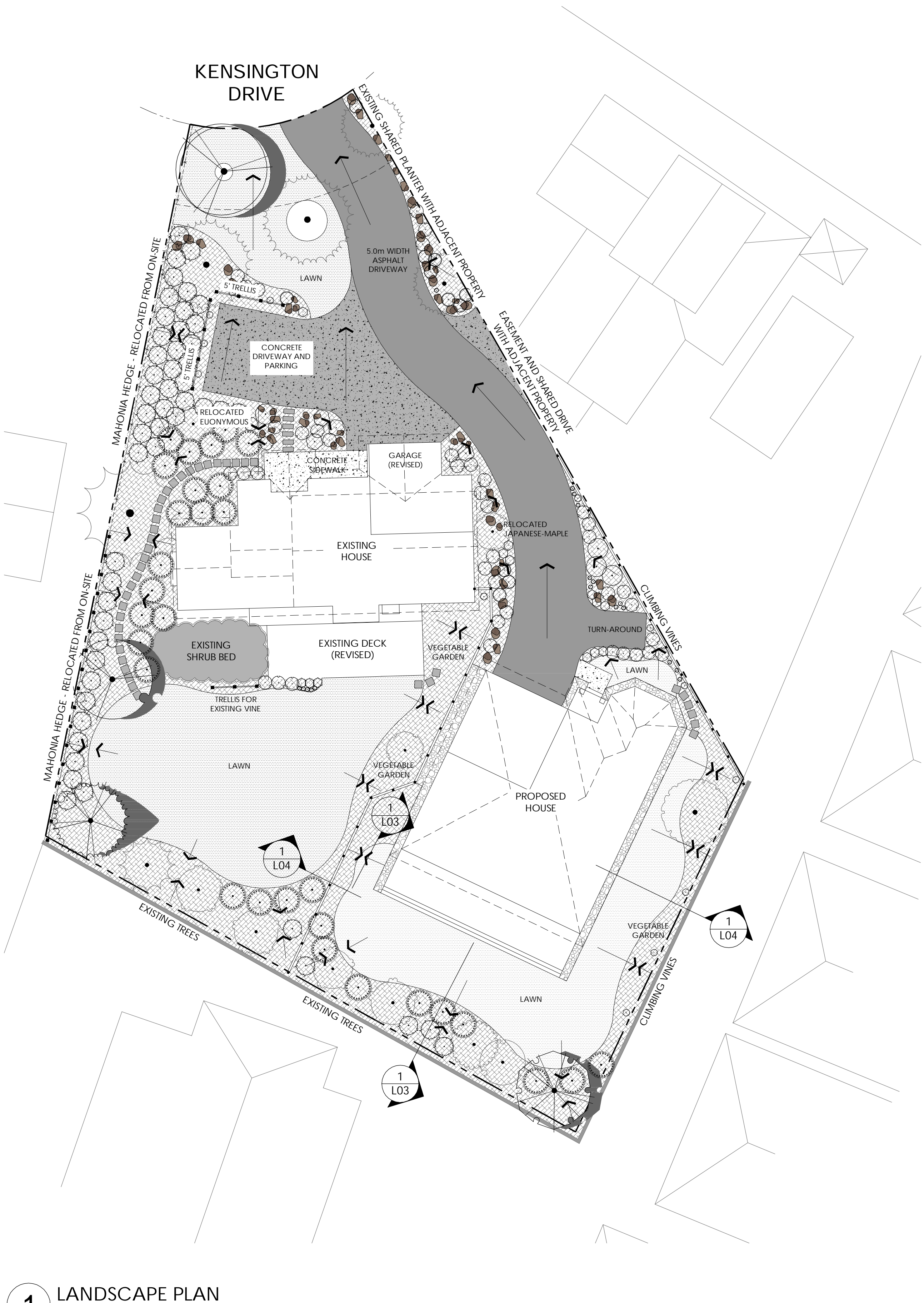
ISSUED FOR
DEVELOPMENT PERMIT

DRAWING NAME
EXISTING CONDITIONS

DRAWN BY: EB
DATE: 2016.06.06
CHECKED BY: XX
DATE: YYYY/MM/DD
APPROVED BY: GARY LUPUL
DATE: 2016.06.10
SCALE: AS NOTED
PROJECT NO: 0012.0001.01

DRAWING NO.
L01

SHEET NO. 1 of 4
REVISION NO. 1



1 LANDSCAPE PLAN
SCALE 1:200

LEGEND

- LARGE BOULDER
 - 750 X 500 X 500 mm
 - TO MATCH ADJACENT PROPERTY
- SMALL BOULDER
 - 500 X 500 X 500 mm
 - TO MATCH ADJACENT PROPERTY
- STEPPING STONE
 - 500 X 500 X 60 mm
 - CONCRETE OR NATURAL STONE
- WALKWAY STONE
 - 800 X 350 X 60 mm
 - CONCRETE OR NATURAL STONE
- RIVER ROCK MULCH C/W ALUMINIUM EDGER
 - 100 - 150 mm DIA WASHED RIVER ROCK
 - OVER 50 mm DEPTH GRANULAR BASE
- BARK MULCH
 - 75 mm DEPTH
 - OVER 450 mm DEPTH GROWING MEDIUM
- SOD
 - ECOTURF OR APPROVED EQUAL
 - OVER 150 mm DEPTH GROWING MEDIUM
- CONCRETE SIDEWALK
- ASPHALT DRIVEWAY
- CONCRETE DRIVEWAY
- PROPOSED WOOD FENCE
- PROPOSED TRELLIS
- EXISTING WOOD FENCE
- EXISTING CHAIN LINK FENCE
- EXISTING CONCRETE FENCE
 - FROM ADJACENT DEVELOPMENT
- DIRECTION OF SURFACE DRAINAGE
 - MIN. 2 % - MAX 30 % LANDSCAPE SURFACES

EXISTING TREES

- JAPANESE MAPLE (RELOCATED ON SITE)
- EUONYMOUS (RELOCATED ON SITE)
- MOUNTAIN ASH
- CHERRY
- BURR OAK
- MAPLE
- ELDERBERRY
- DOUGLAS FIR
- PONDEROSA PINE

PLANTING NOTES:

- KELOWNA PLANT HARDINESS ZONE 6a
- ALL PLANTS IN PLANT LIST ARE LOW TO MODERATE WATER USE
- ALL PLANT MATERIAL SHOWN AT 3/4 MATURE PLANT WIDTH
- TREES AND SHRUBS TO BE PLANTED AS PER CITY OF KELOWNA STANDARD TREE AND SHRUB PLANTING DETAILS

NOTES:

- SEE BUILDING PLANS FOR DIMENSIONED SITE LAYOUT PLAN AND FENCE DETAILS
- TIMED IRRIGATION WILL BE PROVIDED FOR EACH SEPARATE STRATA LOT TO COVER THE PLANTING ON THAT LOT
- SITE LIGHTING WILL CONSIST OF FRONT AND BACK PORCH LIGHTS ON EACH UNIT AND LIGHTS ON THE GARAGE ENTRIES; A PHOTO SENSITIVE LIGHT WILL BE LOCATED ON THE SIDE OF THE WEST HOUSE GARAGE NEXT TO THE DRIVEWAY

PLANT SCHEDULE										
TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	REMARKS	VERY LOW	LOW	MEDIUM	
	1	ACER X FREEMANII 'JEFFSRED' / AUTUMN BLAZE MAPLE	B@B	60 MM					X	
	1	PINUS PONDEROSA / PONDEROSA PINE	B@B		3.0M HT			X		
	1	QUERCUS MACDANIELLI 'CLEMONS' TM / HERITAGE OAK	B@B	60 MM					X	
	1	QUERCUS MACROCARPA / BURR OAK	B@B	60 MM			X			
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	CONT			REMARKS	VERY LOW	LOW	MEDIUM	
	39	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' / FEATHER REED GRASS	#2 CONT				X	X	X	
	4	EUONYMUS ALATUS 'COMPACTUS' / COMPACT BURNING BUSH	#3 CONT						X	
	30	JUNIPERUS SABINA / SAVIN JUNIPER				RELOCATED FROM ON-SITE		X	X	
	10	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE' / HIDCOTE BLUE LAVENDER				RELOCATED FROM ON-SITE		X		
	41	MAHONIA AQUIFOLIUM / OREGON GRAPE				RELOCATED FROM ON-SITE		X		
	8	PARTHENOCISSUS QUINQUEFOLIA / VIRGINA CREEPER	#1 CONT						X	
	11	PENNISETUM ALOPECUROIDES / FOUNTAIN GRASS	#2 CONT				X			
	13	PEROVSKIA ATRIPLICIFOLIA 'LITTLE SPIRE' TM / LITTLE SPIRE RUSSIAN SAGE	#2 CONT					X		
	4	ROSA X 'NEARLY WILD' / NEARLY WILD ROSE	#3 CONT					X		
	3	WISTERIA MACROSTACHYA 'BLUE MOON' / WISTERIA	#1 CONT					X	X	

BALDERSTON LANDSCAPE ARCHITECTURE LTD.
716 LAWSON AVENUE, SUITE A
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e: elizabeth@blastudio.ca

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SURVEY INFORMATION

PREPARED BY: Allterra Land Surveying Ltd.
COORDINATE SYSTEM:
COMPILATION DATE: 2016/04/06

SEAL

REVISIONS			
NO.	DATE	ISSUE/REVISION	APP.
1	2016.07.20	DEVELOPMENT PERMIT	GL
2	2016.07.25	DEVELOPMENT PERMIT	GL

PROJECT/CLIENT

4377 KENSINGTON DRIVE
LUPUL PROPERTIES LTD.

ISSUED FOR

DEVELOPMENT PERMIT

DRAWING NAME

LANDSCAPE PLAN

NORTH

DRAWN BY:	EB
DATE:	2016.06.06
CHECKED BY:	XX
DATE:	YYYY/MM/DD
APPROVED BY:	GARY LUPUL
DATE:	2016.06.10
SCALE:	1:200
PROJECT NO:	0012.0001.01

DRAWING NO.

L02

SHEET NO.	REVISION NO.
2 of 4	2

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SURVEY INFORMATION
PREPARED BY: Allterra Land Surveying Ltd.
COORDINATE SYSTEM:
COMPILATION DATE: 2016/04/06

SEAL

REVISIONS

NO.	DATE	ISSUE/REVISION	APP.
1	2016.07.25	DEVELOPMENT PERMIT	GL

PROJECT/CLIENT

4377 KENSINGTON
DRIVE

LUPUL PROPERTIES LTD.

ISSUED

FOR

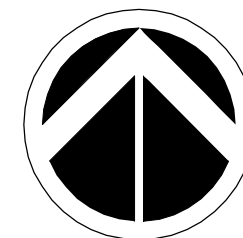
DEVELOPMENT PERMIT

DRAWING

NAME

LANDSCAPE SECTION

NORTH



DRAWN BY: EB

DATE: 2016.07.20

CHECKED BY: XX

DATE: YYYY/MM/DD

APPROVED BY: GARY LUPUL

DATE: 2016.07.20

SCALE: AS NOTED

PROJECT NO: 0012.0001.01

DRAWING

NO.

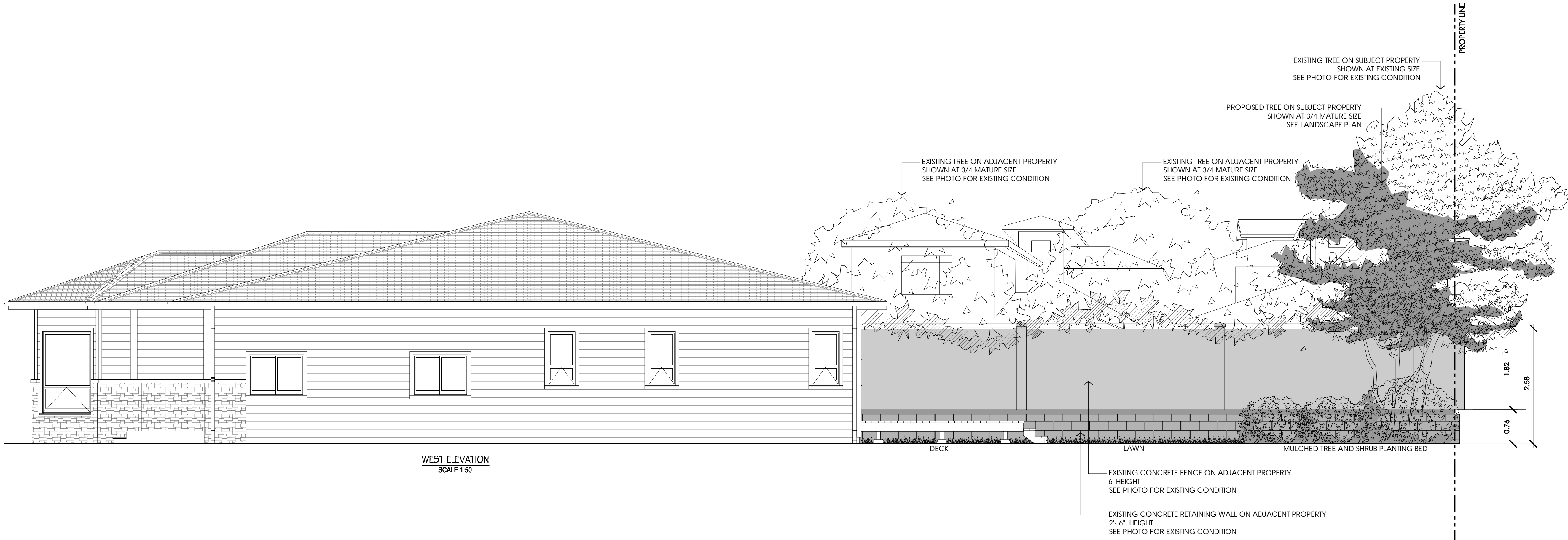
L03

SHEET NO.

REVISION NO.

3 of 4

1



WEST ELEVATION
SCALE 1:50

1

SECTION - WEST ELEVATION

1:50

P-BL-PRO-KENS-329333-02



2

PHOTO - EXISTING CONDITIONS - WEST ELEVATION

1:50

P-BL-PRO-KENS-329333-03

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SURVEY INFORMATION
PREPARED BY: Allterra Land Surveying Ltd.
COORDINATE SYSTEM:
COMPILATION DATE: 2016/04/06

SEAL

REVISIONS

NO.	DATE	ISSUE/REVISION	APP.

PROJECT/CLIENT

4377 KENSINGTON DRIVE

LUPUL PROPERTIES LTD.

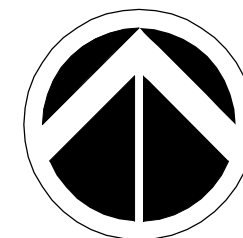
ISSUED FOR

DEVELOPMENT PERMIT

DRAWING NAME

LANDSCAPE SECTION

NORTH



DRAWN BY:	EB
DATE:	2016.07.24
CHECKED BY:	XX
DATE:	YYYY/MM/DD
APPROVED BY:	GARY LUPUL
DATE:	2016.07.24
SCALE:	AS NOTED
PROJECT NO:	0012.0001.01

DRAWING NO.

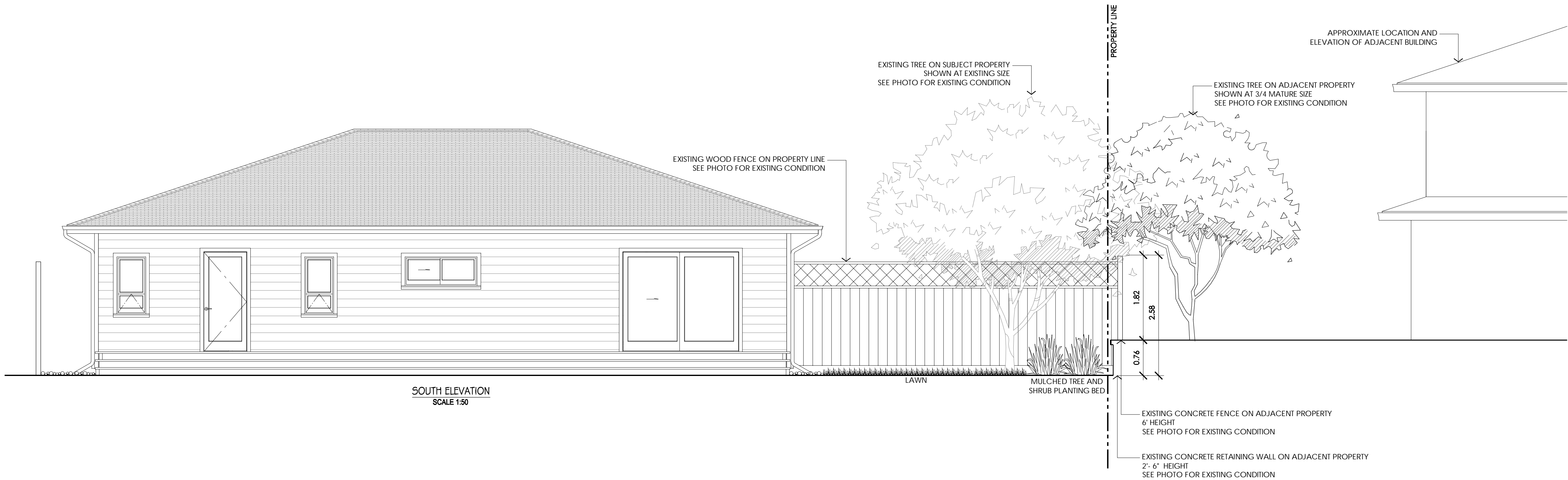
L04

SHEET NO.

REVISION NO.

4 of 4

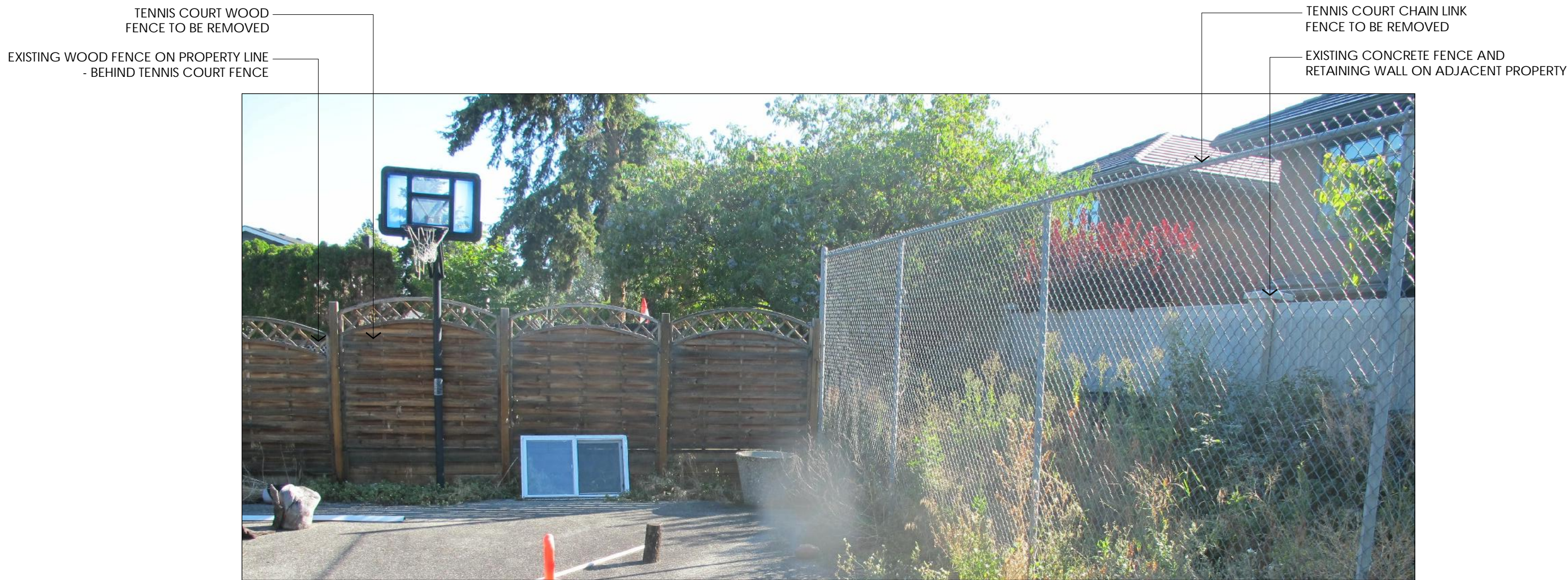
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1 SECTION - SOUTH ELEVATION

1:50

P-BL-PRO-KENS-329333-04



2 PHOTO - EXISTING CONDITIONS - SOUTH ELEVATION

1:50

P-BL-PRO-KENS-329333-05

CITY OF KELOWNA
BYLAW NO. 11361
Z16-0042 – 4377 Kensington Drive

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 21, District lot 167, ODYD, Plan 27559 located on Kensington Drive, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: March 20, 2017

RIM No. 1240-30

To: City Manager

From: Community Planning Department (TB)

Application: HRA16-0001
Owner: Donald F. McDonald
Linda J. Scott-McDonald

Address: 1449 Ethel Street
Applicant: Donald F. McDonald
Linda J. Scott-McDonald

Subject: Heritage Revitalization Agreement

Existing OCP Designation: SIH – Sensitive Infill Housing

Existing Zone: RU7 – Infill Housing

1.0 Recommendation

THAT Council consider a Bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for the property legally known as Lot 1, District Lot 138, ODYD, Plan 2442, located at 1449 Ethel Street, Kelowna, BC, in the form attached as Schedule "A" to the Report from the Community Planning Department dated March 20, 2017;

AND THAT the Heritage Revitalization Agreement Authorization Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To enter into a Heritage Revitalization Agreement for the subject property to allow special events such as weddings, corporate events, fundraisers, and others; in exchange for long term preservation of a heritage resource.

3.0 Community Planning

Community Planning staff recommend support for the proposed Heritage Revitalization Agreement (HRA) that would allow special events in exchange for long term preservation of a heritage resource. This is consistent with Official Community Plan policies to identify and conserve heritage resources. In addition, the City's Adaptive Re-Use Guidelines were applied when drafting the agreement to mitigate any potential neighbourhood conflict. The Heritage Advisory Committee has reviewed the application and is also in support of the proposal.

4.0 Proposal

4.1 Background

There are four structures on the subject property which is located at 1449 Ethel Street and is listed on the City's Heritage Register. The main house is known as Billy-Lloyd Jones House and was constructed in 1910 by Lloyd-Jones who was a prominent community member and alderman. A garage and workshop were added to the rear of the house in the 1980s and have since been converted to a small banquet area that is used for hosting events. Few other significant alterations are noted and the exterior is very well maintained. The carriage house was constructed in 2002 and reflects the heritage characteristics of the main house. The current owners did extensive renovations to the interior and exterior after purchasing the property in 2009. A small gazebo and garden shed are located on the well-maintained and extensive gardens at the rear of the property.

4.2 Project Description

The applicant is seeking to legitimize commercial uses on the property such as small scale functions and weddings. The applicant has had a license for a Bed & Breakfast since 2010 and has been hosting small scale functions and weddings since that time, unaware that the business license did not include functions beyond the scope of a Bed & Breakfast. During this time there have been no recorded complaints or bylaw investigations and the applicants reside in the main building full-time.

The house and gardens have been well maintained and no changes are proposed as a function of this HRA application. Should future changes be proposed, the applicants would be required to apply for a Heritage Alteration Permit to ensure consistency with the City's Heritage Guidelines.

The purpose of allowing the commercial use within this residential property is to ensure the preservation and maintenance of an existing Heritage Registered property that has been well-maintained.

4.3 Variances

Two variances would be granted through the provisions of this HRA: B&B use and parking.

The City of Kelowna Zoning Bylaw No. 8000 states that B&B's must be operated within the principal building (Zoning Bylaw regulation 9.6.1(a)) and are not permitted on the same property as a carriage house (Zoning Bylaw regulation 9.5b.8). The proposed HRA would allow the B&B operations to exist on a property that has a carriage house, and within the carriage house.

The total number of spaces required for the subject property based on the commercial use is 8 stalls, and the HRA would reduce that to 4 stalls in the front driveway with 1 space available for loading on the north property line off of the lane from Stockwell Avenue. The applicants have mitigated parking issues in the past by offering a shuttle service for guests.

It is important to note that the applicants have been operating their business in this manner for several years and City Bylaw has never received a complaint. This would include noise complaints, parking complaints, illegal use complaints, and unsightly premises complaints.

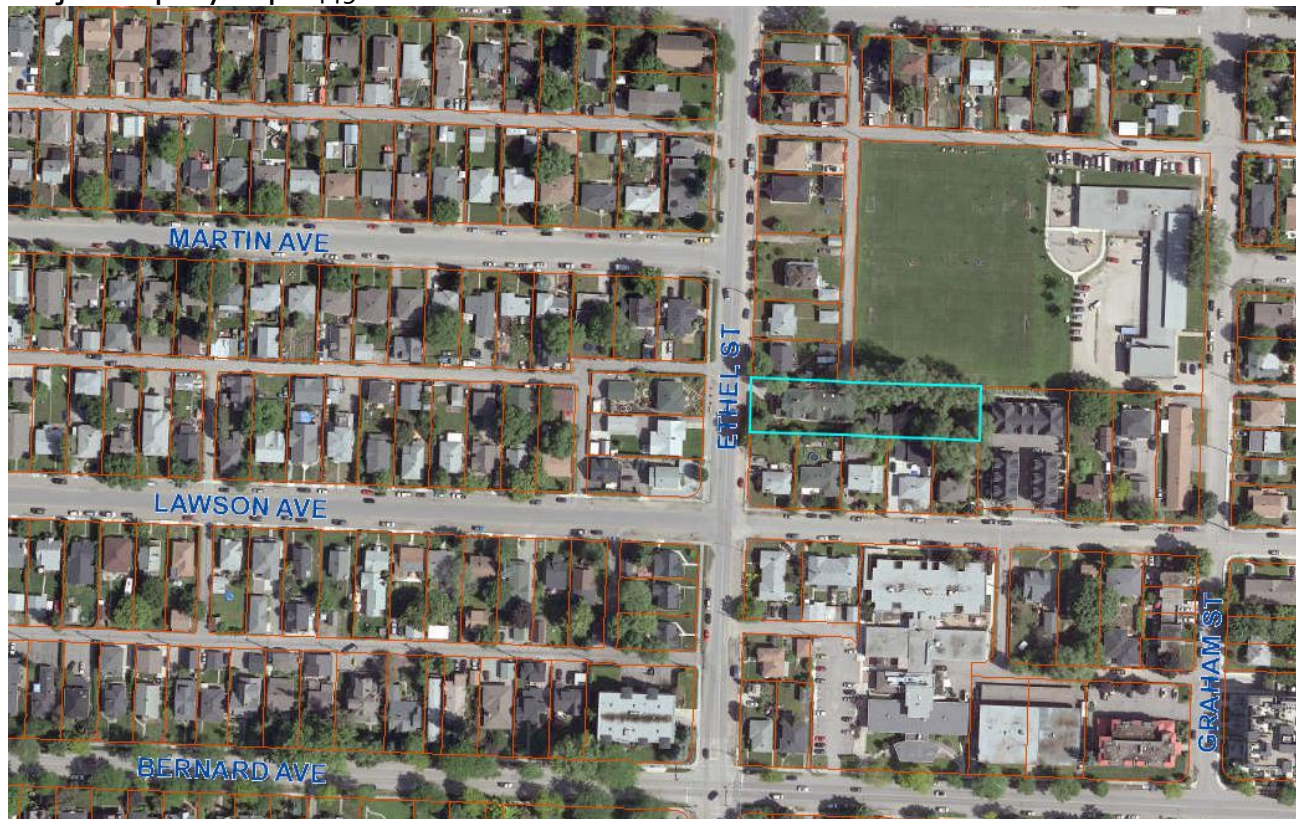
4.4 Site Context

The subject property has a lot area of 2226m² and is located on the east side of Ethel Avenue between Stockwell Avenue and Lawson Avenue. The subject property is zoned RU7 – Infill Housing and is within the Core Area east of the City Centre and within a Character Neighbourhood Development Permit Area.

The property is in a predominantly residential area, bordered on the north-east side by Martin Park. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing P2 – Educational & Minor Institutional	Single Family Dwelling Martin Park
East	RM3 – Low Density Multiple Housing	Multi-family Residential
South	RU6 – Two Dwelling Housing	Single and Two Family Dwellings
West	RU6 – Two Dwelling Housing	Single Family Dwelling

Subject Property Map: 1449 Ethel Street



5.0 Adaptive Re-Use Guidelines

Details of the Adaptive Re-Use Guidelines and how the application meets or does not meet:

1. Neighborhood Resident Concerns: The applicant has conducted neighbourhood notification as a requirement of Council Policy #367. No feedback from the neighbourhood has been received to date. The applicant has been operating this business in a similar fashion since 2010 with no

complaints or bylaw investigations. The applicant has agreed to adhere to the City of Kelowna Noise Control Bylaw No 6647.

2. Residential Component: The applicant resides full time in the main house. When an event requires access to overnight accommodations the applicant has 4 Bed & Breakfast rooms available in the home or 2 rooms in the Carriage House that will only be used during special events.
3. Concentration of Adaptive Re-Uses: There are no other properties with HRAs located on this block of Ethel Street. Four properties on Bernard Avenue between Richter Street and Ethel Street have HRAs that allow commercial office uses in addition to residential uses.
4. Design Standards: There are no proposed changes to the exterior or interior of the heritage home as it is recognized as well-maintained and preserved. A component of the HRA includes an inspection of the exterior of the home every 2 years to ensure it is maintained.
5. Scale: The scale of the business will be limited to 30 attendees within the home. The floor area to be used for the special events includes indoor and outdoor space.
6. Signage: The existing sign will remain and meets the guidelines for Adaptive Re-Use Signage.
7. Parking/Access: There is currently 4 on-site parking stalls located in a front driveway off of Ethel Street. A second access to the property exists on the north off a lane that connects with Stockwell Avenue which may be used for loading. The applicant has stated that their business model includes the use of shuttle services for guests coming and going from the property thereby reducing the amount of traffic, parking, and eliminating alcohol related risks.
8. Hours of Operation: The hours of operation are restricted to 9 am to 10 pm outdoors, with an extension until midnight indoors. The frequency is not to exceed 4 weekend events per month to a maximum of 24 per year; and 4 weekday events per month to a maximum of 24 per year.
9. Screening: Attractive fencing and landscaping has been used extensively on the property. Screening from the front of the house is maintained at a low profile so as to allow the public to view the heritage property from the public sidewalk. Screening and landscaping on the sides and rear of the 2226m² (.55 acre) property is mature and provides a visual and sound buffer between adjacent properties.

6.0 Current Development Policies

6.1 Kelowna Official Community Plan (OCP)

Chapter 5 – Development Process

Objective 5.7: Identify and conserve heritage resources.

Policy 2 Heritage Designation:¹ Encourage owners of properties listed in the Kelowna Heritage Register and identified as significant to voluntarily provide long-term heritage protection to their properties through the use of a Heritage Designation Bylaw.

¹ City of Kelowna, Official Community Plan Chapter 5, Objective 5.7, Policy 2

Policy 3 Heritage Revitalization Agreements:² Consider the adaptive reuse of heritage buildings appropriate within any future land use designation, provided that a Heritage Revitalization Agreement is negotiated with the City and provided that the project meets the criteria established for sensitive neighbourhood integration.

Chapter 9 - Heritage Policies

Objective 9.2 Identify and conserve heritage resources.³

7.0 Application Chronology

Date of Application Received:	February 17, 2016
Date of Community Heritage Committee:	April 21, 2016
Date Public Consultation Completed:	January, 2017

Community Heritage Committee April 21, 2016

The above noted application was reviewed by the Community Heritage Committee at the meeting held on April 21, 2016 and the following recommendations were passed:

THAT the Heritage Advisory Committee recommends that Council support the Heritage Revitalization Agreement HRA16-0001 on the subject property at 1449 Ethel Street to be used for commercial uses such as weddings, corporate events, fundraising tours and other small events and gatherings.

ANECTODAL COMMENT:

The Heritage Advisory Committee supported the application and recommend the Applicant consider a Heritage Designation on their property, as well, consider exterior restoration work specifically on the original house; in particular windows and vinyl siding. There are Grants up to \$10,000 for owners to access as a restoration incentive. The Heritage Advisory Committee raised concerns pertaining to operations maintaining status quo if and when a new owner takes over the property and believes a 2-year inspection is the right tool to ensure operations are being adhered to and maintained. The Heritage Advisory Committee recommended a maximum occupancy sign be posted for fire safety purposes. The Heritage Advisory Committee believes this is an important heritage property with great history for adaptive use.

Report prepared by: Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Adaptive Re-Use Guidelines (For Heritage Revitalization Agreements)
Statement of Historical Significance
Photographs

² City of Kelowna, Official Community Plan Chapter 5, Objective 5.7, Policy 3

³ City of Kelowna, Official Community Plan Chapter 9, Objective 9.2

City of Kelowna Adaptive Re-use Guidelines for Residential Heritage Buildings

The Kelowna Official Community Plan recommends the use of Heritage Revitalization Agreements to allow for the adaptive re-use and continuing protection of heritage buildings. Entering into a Heritage Revitalization Agreement with the City of Kelowna allows owners of heritage buildings to use their building for purposes that would not otherwise be allowed. The additional revenue obtained from these adaptive re-uses can then be used to help restore and maintain their heritage building. In turn, the community benefits from the conservation of Kelowna's built heritage.

Please note: changing a residential building to a commercial use may require modifications so as to meet the requirements of the BC Building Code.

Objectives related to permitting the adaptive re-use of residential heritage buildings:

- To conserve Kelowna's residential **heritage buildings listed in the Kelowna Heritage Register** by enhancing their appearance and viability as functional buildings;
- To retain the desirable qualities of older residential neighbourhoods such as heritage houses, mature landscaping and pedestrian oriented street environments;
- To favourably consider a limited range of uses which would achieve the adaptive re-use of heritage buildings and at the same time, would preserve the prevailing character of neighbourhoods by limiting impacts such as high amount of traffic, noise, smell, etc.;
- To ensure that allowing adaptive re-uses within heritage buildings does not have a negative impact on the viability of existing commercial areas within Town Centre areas.

The following guidelines reinforce that there is an essential relationship between the proposed use in a heritage building and the location of the heritage property relative to the surrounding streets and the character of the neighbourhood. The type and intensity of a proposed adaptive re-use will be assessed according to which category of roadway will best be able to accommodate that particular use. The roadway categories are based on the Official Community Plan 20 Year Major Road Network Plan.

On major roads, a greater variety and intensity of uses can be supported without affecting the character of the area given the existing impacts of prevailing traffic volumes. The potential exists in these locations to allow adaptive re-uses normally considered not appropriate within residential locations, provided controls are in place to limit scale and concentration of adaptive re-uses within a given area.

For the purpose of these guidelines, roads not identified as major roads on the 20 Year Major Road Network Plan will be considered local roads. Adaptive re-uses that can be supported along local roads also include those uses that would typically be permitted in residential zones, such as home based businesses, bed and breakfast homes, care centres, secondary suites and group homes. The difference would be that the scale and conditions of such uses

could be expanded, to a lesser degree than on major roads, under a Heritage Revitalization Agreement.

Site Specific Criteria

After consideration has been given to location, each adaptive re-use proposal must be assessed on its own merits as to whether the proposal would be appropriate within the context of the heritage building, the surrounding neighbourhood and adjacent property characteristics. In this regard, the following factors should be considered:

1. Neighbourhood Resident Concerns

The concerns of neighbouring property owners should be considered. Identifying and, wherever possible, resolving these issues when developing the terms and conditions specific to an application is important. Applicants are encouraged to discuss their proposed adaptive reuse with neighbouring property owners.

2. Residential Component

A residential component (secondary suite, principal dwelling, etc.) **is mandatory** in conjunction with a non-residential use in order to minimize impacts on the residential character of a neighbourhood. For security purposes, incorporating a residential component is particularly important where a high concentration of adaptive re-uses occurs along a particular block. ***However, a residential component may not be desirable for all properties where a residential component may impact the heritage character negatively.***

3. Concentration of Adaptive Re-Uses

Careful consideration must be given to avoid a concentration of adaptive re-uses in any given area. In this regard, consideration should be given to maintaining the existing neighbourhood character. In addition, consideration should be given to whether or not permitting an adaptive re-use or a concentration of adaptive re-uses would limit the ability to redevelop the area to higher density uses supported in the OCP.

4. Design Standards

Any heritage building restorations, renovations or alterations must respect the heritage character of the building and its surrounding area. Reference should be made to the character-defining elements for the property as detailed in the Heritage Register record.

5. Scale

The size and intensity of the adaptive re-use component should be compatible with the surrounding neighbourhood and able to be readily accommodated within an existing heritage building. The requirements of a specific use and the available floor area in the existing building will limit the extent and nature of the adaptive re-use proposal.

It is recommended that the number of employees not exceed four non-resident employees at any given time for adaptive re-uses along major roads and two non-resident employees at any given time for adaptive re-uses along local roads. ***In addition to this, it is recommended that, as a guideline, the non-residential floor area not exceed 60% to a maximum of 232 sq. m (2500 sq. ft) for adaptive re-uses along major roads, and 40% to a maximum of 139 sq. m (1500 square feet) for adaptive re-uses along local roads.***

6. Signage

Signage should be limited to one non-illuminated nameplate not to exceed 0.23 sq. m. (2.5 sq. ft.) in area and shall be placed within, flat against or hanging from the dwelling unit. Along major roads, signs of this size and dimension may be hung from a free standing post.

7. Parking / Access

Consideration must be given to on-site parking, access and traffic generation associated with adaptive re-use proposals. In order to limit the impact on adjacent properties, the required number of on-site parking spaces should conform to the Parking Schedule of the Zoning Bylaw.

8. Hours of Operation

No generation of vehicular traffic or parking of vehicles in excess of that permitted for the zone in which the adaptive re-use is located should be permitted during non-regular working hours. Generally, working hours should be limited to daytime hours, Monday through Friday.

9. Screening

Screening helps lessen the impact of an adaptive re-use in a residential area. In this regard, outdoor storage and parking areas associated with an adaptive re-use should be well screened with fencing and landscaping which are compatible in design with the heritage building and which form a year round dense screen.





Kid: 304889 **Plan:** 2442 **Lot:** 1 **Block:**
Map
Civic Address: 1449 Ethel St
Neighbourhood: North End
Building Name: Billy Lloyd-Jones House
Conservation Area: no
Date Built: 1910
Status: Active

Historical Significance: Constructed during the early development of Kelowna, this was the home of Billy Lloyd-Jones, an active member of the community and contributor to Kelowna's social, political, business, and church life in 1st half of the 20th century.

History: "Billy" Lloyd-Jones moved to Kelowna in 1901. He managed Bernard Lequime's Post Office and Store on Benevoulin Road for a time and later was the manager of the Lequime's sawmill. He was active in the United Church, city council, Rotary, and various lodges. He worked for cousin David Lloyd-Jones in a sawmill where City Park now is. William was secretary-treasurer of the company until his death in 1956, staying on after S.M. Simpson Ltd. purchased control.

Architectural Significance: Very attractive house, which illustrates well the changing house types of the first decade of the 20th century.

Style / Character: Transition from the vertically-proportioned gable-front Victorian/Queen Anne house to the more cubic hipped-roof Foursquare.

Design Features: Broad verandah supported by square posts. Brackets under eaves, small porch on 2nd storey centre, some decorative trim around windows, decorative railings on porches. Building is a central hearth plan. The plans for the house are said to have come from an architectural catalog/pattern book (source: owner).

Architect: unknown

Builder: Lloyd-Jones

Building Construction: wood frame

Foundation Construction: Haug rusticated concrete block

Stories: 2

Roof Type: hipped

Window types: 1 Bay w., all w. are DH 1/1, art glass in some, 1 semi-circular w L of door, decorative glass

Exterior Wall Material: horizontal wood siding

Original Wall Material: same

Exterior Wall Color: creamy beige w. white trim

Landscape Features: large firs trees and shrubbery, grass lawn and foundation planting

Associated Buildings: old garden shed remains alongside a new larger garage

Alterations Documented: 1980 garage and workshop

Alterations Observed: It appears that the veranda once continued around the right but has been filled in. The roof was replaced, and general improvements and renovations made in 1997. Staircase replaced.

Site Context: The house is larger and older than others in area. Another building, of similar style, is 3 lots down. The building stands out from others as very attractive.

Source: KHRI 1983; Street files; Henderson's 1910; Wrigley's 1919-27; Sun 1936-47; Kel City Dir 1948, 56; OHS 20:69, 168.

Additional Notes and Comments: William's wife was Naomi. The House is now occupied / owned by White Cloud Investments Ltd. The building is in excellent condition and the period character is generally intact. An architectural description exists in the KHRI 1983 p.11.

Note: Building in 1st phase of CRHP collection but incomplete. Will be included in phase 4.

Updates:

History Recorder Name: David Dendy **Date Recorded:** 1997-10-04

Field Recorder Name: Leigh-Ann Carter **Date Recorded:** 1997-06-21

Photographer: Leigh-Ann Carter **Date Photographed:** 1997-06-20

Photo Reference: CD2.71

Main Photo File:



Additional Photos:

CRHP Inventory: [Click Here](#)

[Change](#)

[Delete](#)

[Maintain Additional Photos](#)





Carriage House



CITY OF KELOWNA

BYLAW NO. 11371

**Heritage Revitalization Agreement Authorization Bylaw HRA16-0001 –
Donald McDonald and Linda Scott-McDonald
1449 Ethel Street**

WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of property which Council deems to be of heritage value pursuant to section 610 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Donald McDonald and Linda Scott-McDonald for the property located at 1449 Ethel Street, Kelowna, B.C.;

THEREFORE the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Donald McDonald and Linda Scott-McDonald for the property known as the "Billy-Lloyd Jones House" located at 1449 Ethel Street, Kelowna, B.C., and legally described as:

Lot 1, District lot 138, ODYD, Plan 2442;

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.
3. This bylaw shall come into full force and effect as of and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE "A"
HERITAGE REVITALIZATION AGREEMENT

THIS AGREEMENT dated as of the ___ day of _____, 2017

BETWEEN:

City of Kelowna, a Municipal Corporation having offices at 1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

OF THE FIRST PART

AND: Donald Franklin McDonald and Linda Joan Scott-McDonald of 1449 Ethel Street, Kelowna, British Columbia, V1Y2X5

(herein called the "OWNER")

OF THE SECOND PART

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS the Owner owns certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 1449 Ethel Street, Kelowna, BC and legally described as:

Parcel Identifier: 002-001-527
Lot 1, District Lot 138, ODYD, Plan 2442

(herein called the "Heritage Lands")

AND WHEREAS the Owner has presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 464 through 470 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 594 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 595 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1.0 Heritage Revitalization

- 1.1 The parties agree that the Heritage Lands have heritage value, deserving of protection and conservation and the Owner specifically agrees to maintain, preserve and protect the heritage character of the buildings located on the Heritage Lands (Billy Lloyd-Jones House) in accordance with attached Schedule "AA".
- 1.2 The parties agree that the Heritage Lands may, notwithstanding the RU6 – Two Dwelling Housing zoning on the Heritage Lands, be used for the following permitted uses:
- (a) The adaptive reuse of the residential property to a space for small scale special events such as but not limited to weddings, corporate lunches, birthday parties, garden tours, and heritage tours, provided that:
- i. The hours of operation for any commercial enterprises taking place outdoors on the subject property shall take place between 9am – 10pm, Sunday through Saturday;
 - ii. The hours of operation for any commercial enterprises taking place indoors on the subject property shall take place between 9am – 12 midnight, Sunday through Saturday;
 - iii. The frequency of weekend events is not to exceed 4 events per month to a maximum of 24 per year;
 - iv. The frequency of weekday events is not to exceed 4 events per month to a maximum of 24 per year;
 - v. The subject property must adhere to the rules and regulations set out in the City of Kelowna Noise Control Bylaw No. 6647.
 - vi. The number of attendees is limited to 30 guests within the heritage home as per British Columbia Building Code Regulations;
 - vii. The serving of alcohol is regulated by the Liquor Control and Licensing Branch of British Columbia (LCLB) and hosts of the special events shall abide by the licensing regulations of the LCLB;
 - viii. Four on-site parking stalls shall be provided on the front driveway accessed from Ethel Street;
 - ix. One on-site loading stall shall be provided from the lane off Stockwell Avenue;
 - vi. A minimum of one dwelling unit on site shall be used for a full time residence;
 - vii. A maximum of 4 Bed & Breakfast rooms within the heritage home may be used for nightly accommodation as related to hosting special events. Consecutive stays must be 3 days or less;
 - viii. The 2 bedroom carriage house may be used for special events and/or nightly accommodation as related to hosting special events. Consecutive stays for nightly accommodation must be 3 days or less;
 - viv. A maximum of 4 rooms may be used for nightly accommodation at any one point in time in any combination of rooms in the heritage home and carriage house;
 - vv. The business sign be limited to one non-illuminated nameplate not to exceed 2.5 square feet in area as regulated by City of Kelowna Sign Bylaw No.8235;

- vvi. Fencing and landscaping shall be maintained to provide a visual and sound buffer for adjacent properties;
 - vii. No nuisance from noise, vibration, smoke, dust, odours, traffic, heat, glare, electrical or radio disturbance shall be produced and the privacy and enjoyment of adjacent properties shall be preserved;
 - viii. The owners/operators of the business shall hold a valid City of Kelowna Business License for Special Events and Bed and Breakfast as per City of Kelowna Business License and Regulation Bylaw No. 7878.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the property and commercial business.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse, or revise such permit is delegated by Council to the Director of Land Use Management.
- 2.0 Conservation and Maintenance of Existing Development.**
- 2.1 The owner agrees not to alter the exterior of the heritage building except pursuant to a Heritage Alteration Permit issued by the City, and in accordance with this agreement.
- 2.2 The owner agrees to maintain the exterior of the Heritage Building (Billy Lloyd-Jones House) and Carriage House on the Heritage Lands in general accordance with the photographs attached hereto as Schedule "AA";
- 2.3 If original features must be replaced, the new material shall be similar or identical to the original. Where original features were removed through earlier renovations or alterations and the replacements were not in keeping with the original style of the building, any subsequent replacement of these features shall complement the building's heritage style.
- 3.0 Proposed Development**
- 3.1 The parties agree that variances to the following subsections of City of Kelowna Zoning Bylaw No. 8000 be granted through this agreement:
- Zoning Bylaw No. 8000 – Section 9.5b.8 – Carriage House Regulations**
- To allow a carriage house in conjunction with a Bed and Breakfast.
- Zoning Bylaw No. 8000 – Section 9.6.1(a) – Bed and Breakfast Regulations:**
- To allow a Bed and Breakfast to operate with a total of 6 rooms, only 4 of which may be used at any one time; and to allow 2 of those rooms to exist in the carriage house rather than the principal dwelling.
- Zoning Bylaw No. 8000 – Table 8.1 – Parking Schedule:**
- To reduce the required number of parking spaces from 8 (required) to 4 plus 1 loading stall (proposed).
- 3.2 The Owner agrees to undertake and maintain appropriate landscaping on the subject property.

4.0 Damage or Destruction

4.1 In the event that no more than 75% of the Heritage Building is damaged, the parties agree as follows:

a) The Owner may repair the Heritage Building in which event the Owner shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

b) The City may, by bylaw, and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this agreement, whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

5.0 Breach

5.1 In the event that the Owner is in breach of any term of this Agreement, the City may give the Owner notice in writing of the breach and the Owner shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the City may, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

6.0 Amendment

6.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:

a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;

b) By Heritage Alteration Permit (HAP), issued pursuant to Section 617 of the *Local Government Act*.

7.0 Representations

7.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

8.0 Statutory Functions

8.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

9.0 Inurement

9.1 This Agreement inures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

10.0 Other Documents

- 10.1 The Owner agrees at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

11.0 Notices

- 11.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owner:

Donald Franklin McDonald
Linda Joan Scott-McDonald
1449 Ethel Street
Kelowna, BC
V1Y2X5

Or, to such other address to which a party hereto may from time to time advise in writing

12.0 No Partnership or Agency

- 12.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA
By its authorized signatories

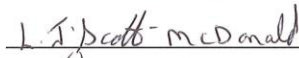
Mayor

City Clerk

Donald Franklin McDonald



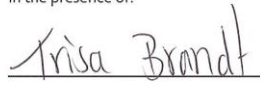
Linda Joan Scott-McDonald

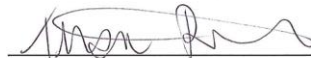


Date:



In the presence of:





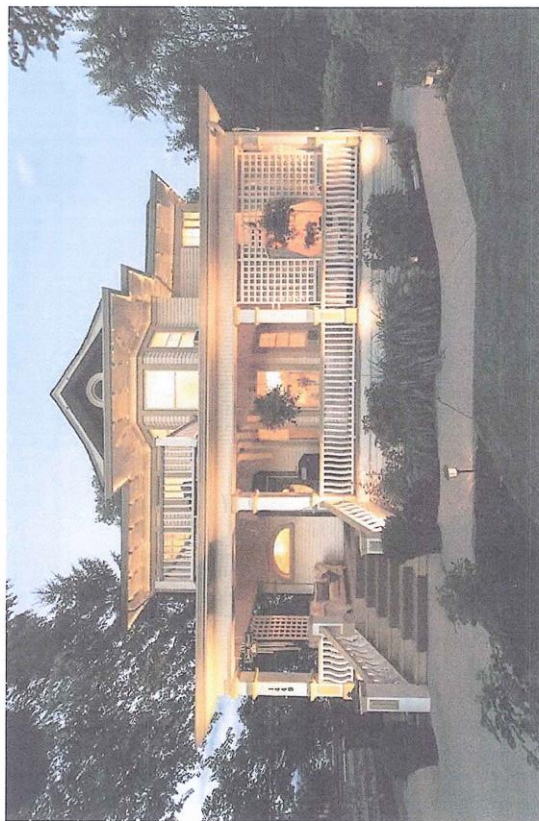
Witness (print name)

Witness (Signature)

TRISA BRANDT
A COMMISSIONER FOR TAKING
AFFIDAVITS FOR BRITISH COLUMBIA
1115 WATER STREET, KELOWNA, BC V1Y 1J4
Address
Order No. 2015-1159
Expiry Date: 2018-09-30

Occupation

SCHEDULE		AA
This forms part of application # HRA16-0001		
Planner Initials	TB	 City of Kelowna COMMUNITY PLANNING



SCHEDULE		AA
This forms part of application # HRA16-0001		
Planner Initials	TB	 City of Kelowna COMMUNITY PLANNING



Carriage House

SCHEDULE	AA
This forms part of application # HRA16-0001	
Planner Initials	TB
 City of Kelowna COMMUNITY PLANNING	



REPORT TO COUNCIL



Date: March 27, 2017

RIM No. 1250-01

To: City Manager

From: Community Planning Department (MS)

Application: Z17-0002 / DP17-0003

Owner: City of Kelowna

Address: 289 – 291 Valley Road

Applicant: City of Kelowna

Subject: Rezoning from A1 – Agriculture 1 to P5 – Municipal District Park

Existing OCP Designation: Park

Existing Zone: A1 – Agriculture 1

Proposed Zone: P5 – Municipal District Park

1.0 Recommendation

THAT Rezoning Application No. Z17-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A Sections 4 Township 23 and Section 33 Township 26 ODYD District Plan EPP16971*, located at 289-291 Valley Road, Kelowna, BC from the A1 – Agricultural 1 zone to the P5 – Municipal District Park zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer for road dedication;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

THAT Development Permit No. **DP17-0003** for *Lot A Sections 4 TWP 23 and Section 33 TWP 26 ODYD Plan EPP16971*, located at 289 – 291 Valley Road, Kelowna, BC, as attached to the report of March 27, 2017, to allow the construction of Phase I and Phase II Glenmore Recreation Park be approved subject to the following:

- a) The dimensions and siting of the attenuation pond, fencing, vegetative buffer, and roadway and to be constructed on the land be in accordance with Schedule "A";
- b) The landscaping and fencing for the Agricultural Buffer to be provided on the land be in accordance with Schedule "B"; and

- c) The attenuation pond, associated riparian planting and stormwater attenuation structures, including the oil/water separator, to be provided on the land be in accordance with Schedule "C";

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To rezone the subject property from A1 Agricultural to P5 Municipal District Park, together with a Natural Environmental and Farm Development Permit to address stormwater drainage, farmland buffers and a road dedication for parking and access.

3.0 Community Planning

Community Planning supports the proposal to rezone the subject property from A1 – Agriculture 1 to P5 – Municipal District Park, as well as the farmland buffers and stormwater attenuation as per plans for the Development Permit.

The proposal is consistent with the Official Community Plan's future land use designation of the property as Park, which has been in place prior to 2011. In addition, it is consistent with the Agricultural Land Commission's approval¹ #352/2011, which approved the use of the property as a Municipal District Park.

Staff have kept the ALC apprised of the planning progress for the park as well as the agricultural mitigation commitments required as part of the approval. The ALC have communicated that they are encouraged with the progress of the mitigation measures, and have had input on details of the plan including the fencing and vegetative buffer. The ALC expects the ALR buffer to be completed in 2017.

Phase I of the park development is scheduled for 2017. This includes the establishment of the farmland vegetation buffers, ALR fencing, an attenuation pond for site stormwater, riparian planting around the pond, site grading, road dedication, and gravel surfacing of the road.

Phase II of park development is scheduled for 2018, subject to funding. This will include constructing the playing fields on the southern half of the property, and finishing the roadway access.

Future phases include a recreation centre, rugby fieldhouse, a spray park, a skate park, and additional playing fields. Staff notes that these future works are not included in the Development Permit.

4.0 Proposal

4.1 Background

Glenmore Recreation Park has long been envisioned as a significant community amenity to serve both residents in the local Glenmore area and the larger community. Since the 1980s, the City instituted a consistent planning framework that has anticipated the need for a major park in Glenmore. The Glenmore Valley Sector Plan (1989) followed the block approval of ALR land in 1988 and was the first to formally recognize the need.

Subsequent plans including the Agriculture Plan (1998), the Glenmore/Clifton/Dilworth Sector Plan (1998), and Kelowna's Official Community Plans, including the City's recently adopted 2030 OCP reference the need for a Recreation Park in Glenmore.

The 1989 Glenmore Sector Plan anticipated an additional built-out population of approximately 12,000. At present the Glenmore sector is home to approximately 23,000 residents. Further, approximately 11,000

¹ ALC, Nov. 22, 2011. ALC File 52452 – Glenmore Recreation Park – letter and Minutes of Resolution #352/2011

additional residents are projected to locate in the Glenmore sector by 2030, with additional growth taking place in Glenmore's neighbouring areas.

In 2011, the Agricultural Land Commission (ALC) granted a Non-farm use approval² subject to a number of agricultural mitigation measures. These included vegetation buffers along the ALR, fencing, lot consolidation of road right of way with adjacent parcels through Glenmore Valley that is no longer required, the rehabilitation of the playing fields at 500 Valley Road, and the relocation of the Scenic Road Firehall and rehabilitation of that property to agriculture. Staff have been corresponding with the ALC on the status of the mitigation measures, and a summary of the results is included below in Section 4.5.

4.2 Project Description

Phase I of the park development is scheduled for 2017. This includes the establishment of the farmland buffers, fencing, an attenuation pond for site stormwater, road dedication, underground utilities and gravel surfacing of the road.

Phase II of park development is scheduled for 2018. This will include constructing the playing fields on the southern half of the property, completing the roadway paving, and lighting.

Future phases include an activity centre, fieldhouse, a spray park, a skate park, a playground and additional playing fields.

4.2.1 Phase I

Phase I and Phase II occur in the south portion of the property only, and includes the scope of work included below:

Phase I - 2017

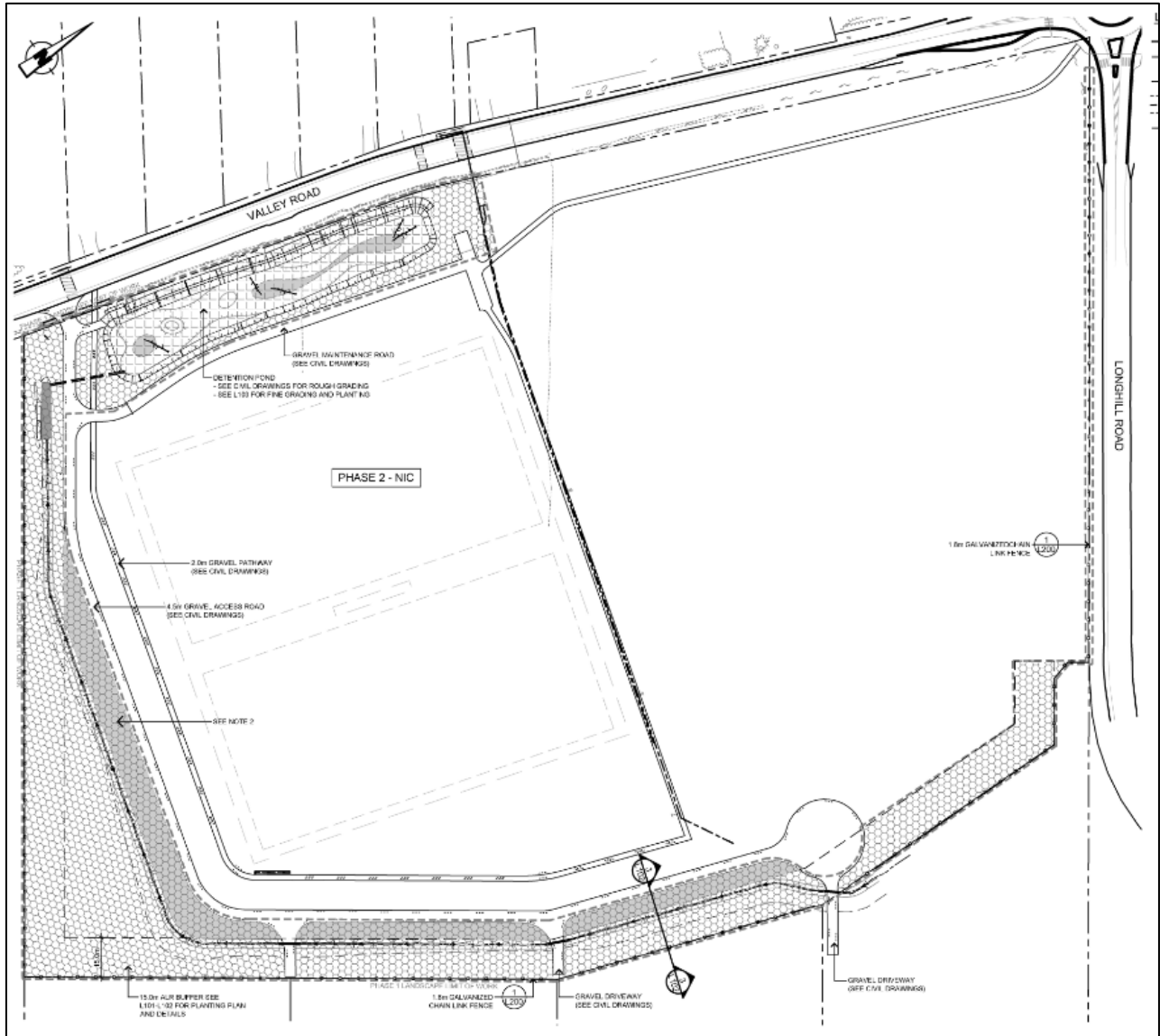
- Stormwater attenuation pond for overall drainage improvements
- ALR vegetated buffer and fencing
- Grading
- Underground utilities
- Gravel access roads
- Gravel trail along Brandt's Creek

Phase II - 2018

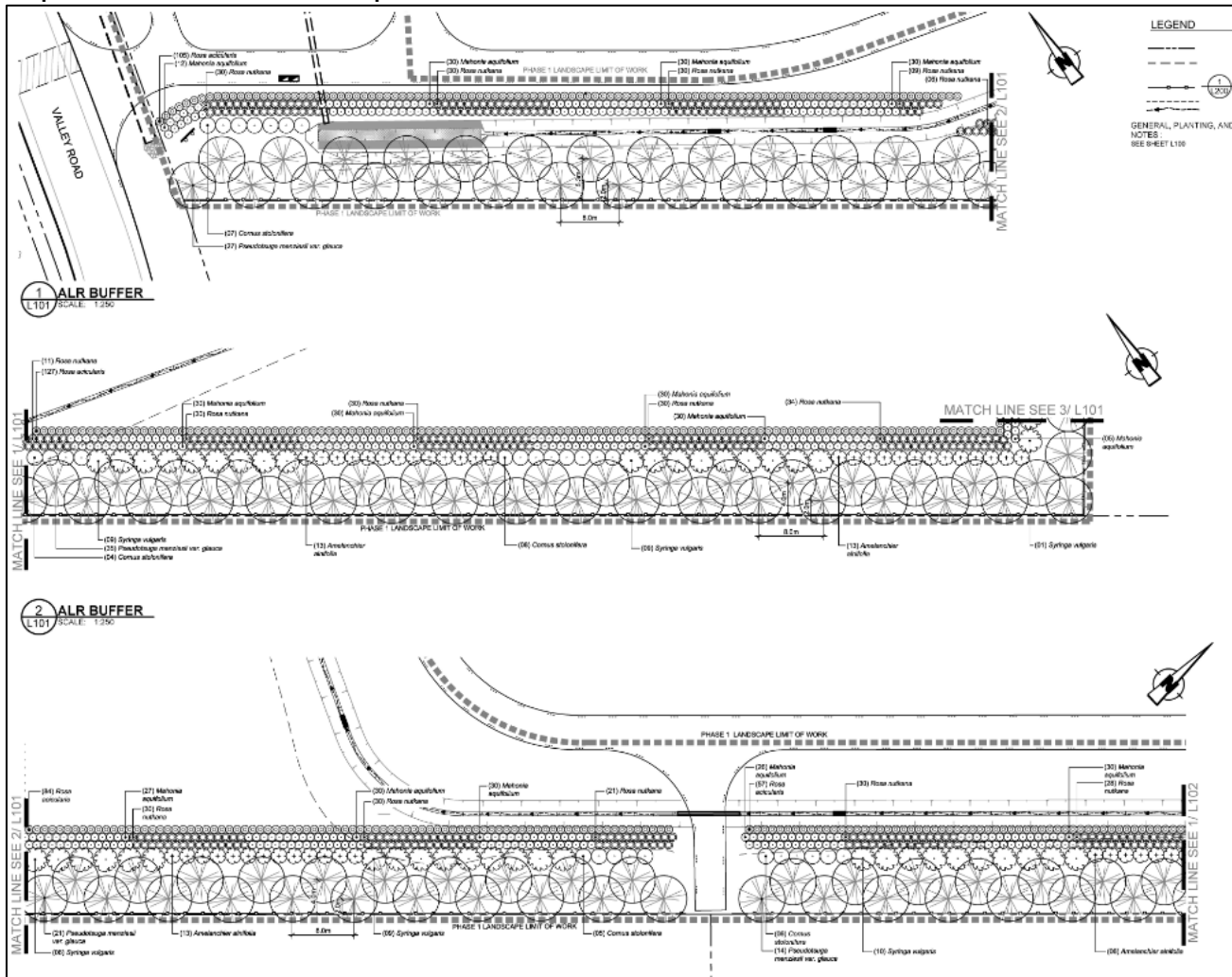
- Roadway and parking (curb, gutter, sidewalk and paving)
- Lighting
- Sport fields (2 pitches)

² ALC, Nov. 22, 2011. ALC File 52452 – Glenmore Recreation Park – letter and Minutes of Resolution #352/2011

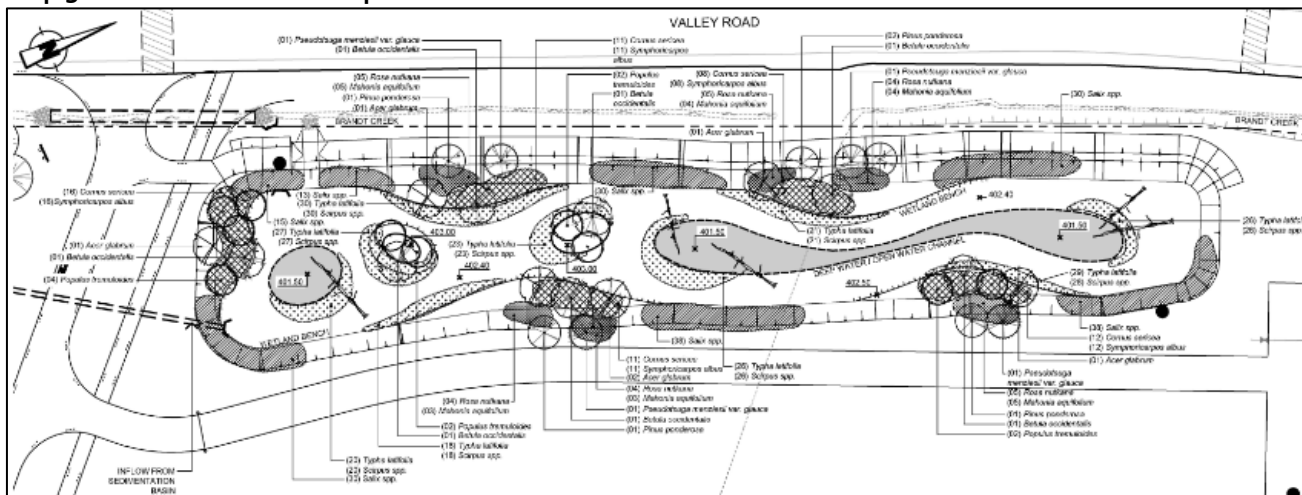
Map 1. Glenmore Recreation Park – Phase I – Schedule A

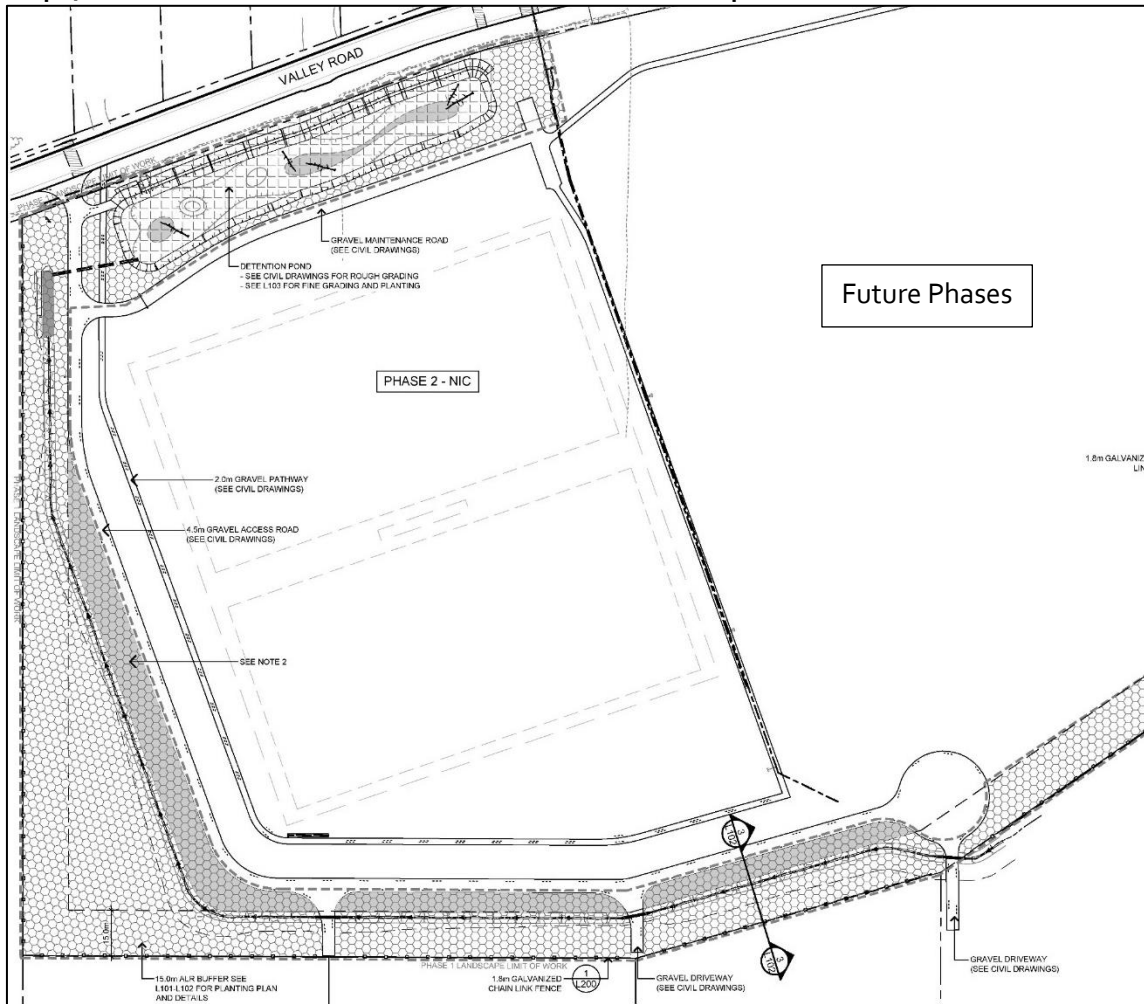


Map 2. Farm Protection Development Permit – Phase I – Schedule B



Map 3. Natural Areas Development Permit – Phase I – Schedule C



Map 4. Road Dedication (Phase I) and Southern Field Completion (Phase II)

4.2.2 Future Phases – Concept Plan

The City has developed a Preliminary Concept Plan to illustrate how the land could be developed. The Concept Plan is provided for discussion purposes only and is subject to revisions following public consultation and discussion with the ALC. Key program elements of the park design currently include:

- Multi-use playing fields
- Artificial turf playing fields
- Playground
- Spray park
- Walking trails
- Off-leash dog park
- Field house
- Cricket batting cage
- Basketball courts
- Sport courts
- Site circulation and parking
- Field house
- Community garden
- Two Storey Activity Centre

Map 5. Glenmore Recreation Park Master Plan

4.3 Site Context

The subject properties site are located in the Glenmore/Clifton/ Dilworth Sector of the City of Kelowna. The site is situated at the southeast corner of Longhill and Valley Roads.

The Official Community Plan, Future Land Use Map currently designates part of the proposed parcels as Park. The east fork of Brandts Creek runs along the western property line of the subject parcels and adjacent to Valley Road.

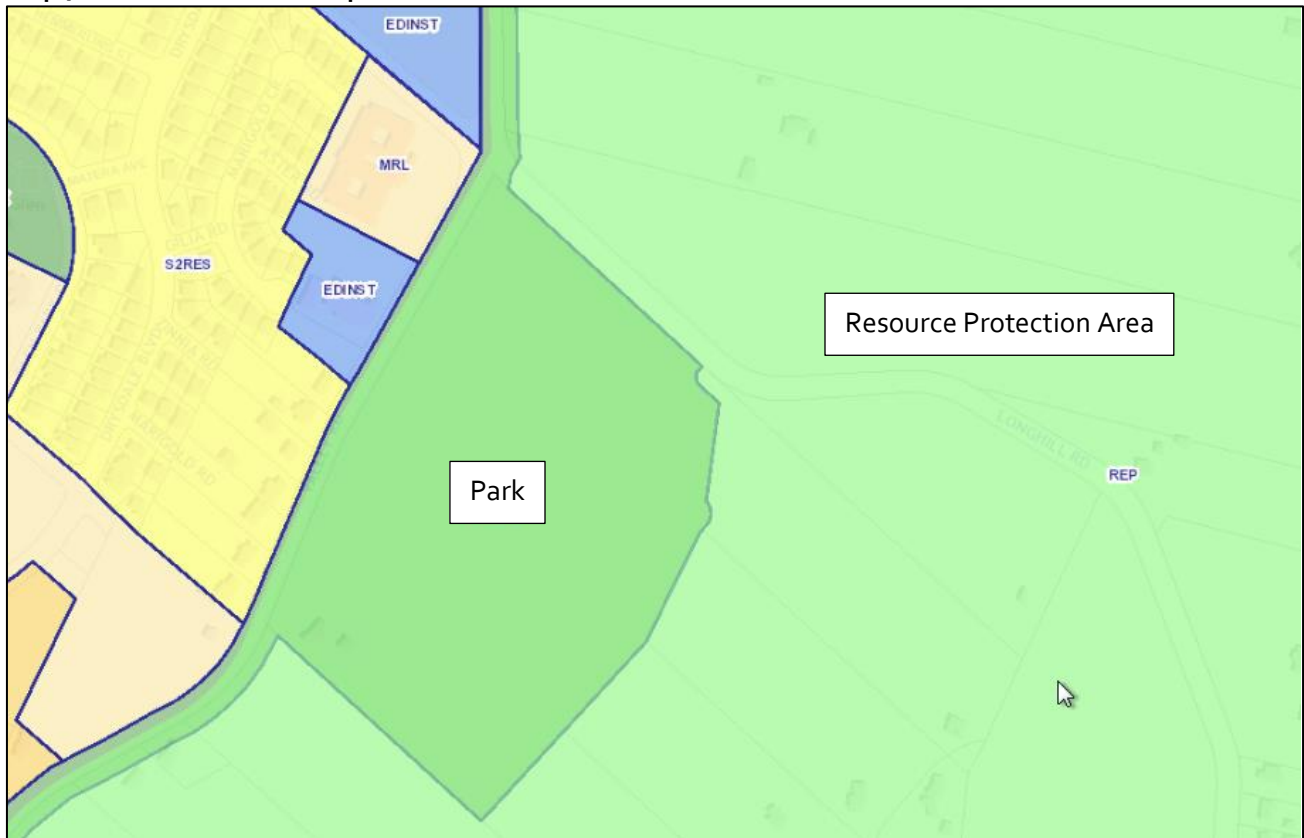
Specifically, adjacent land uses are as follows:

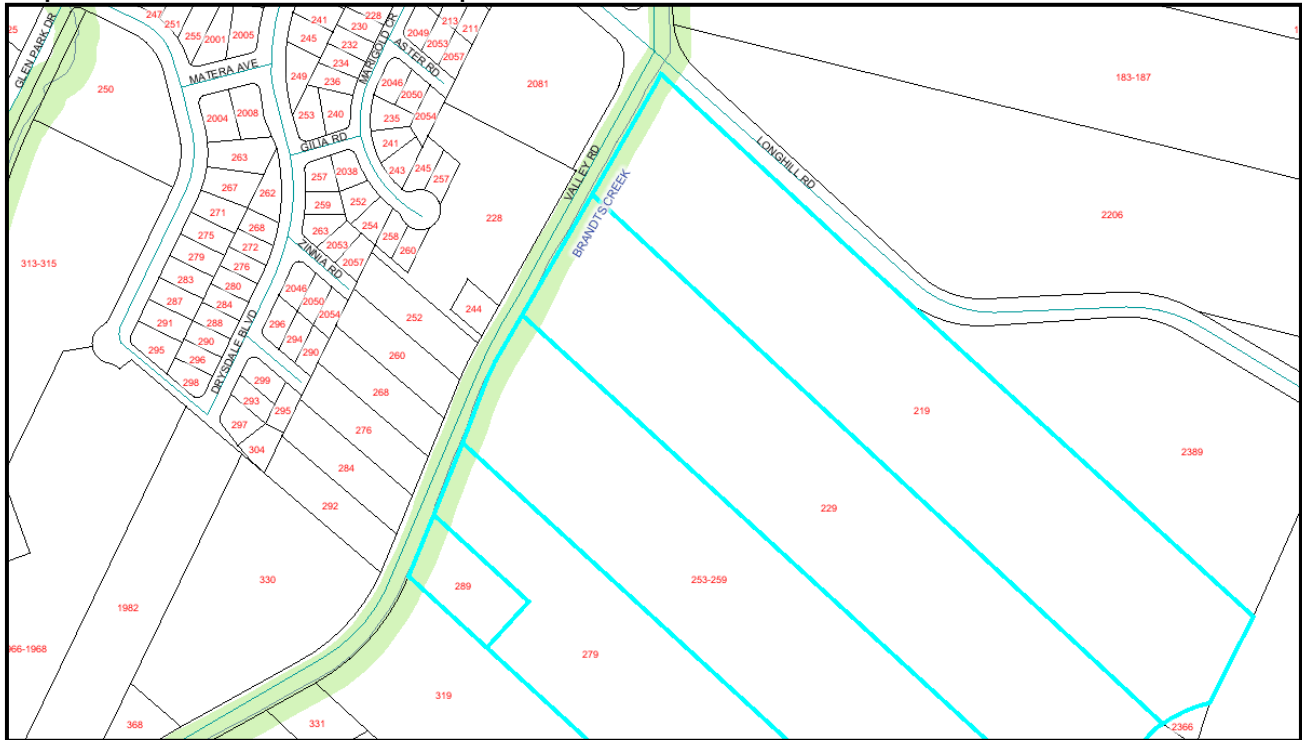
Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Agricultural
East	A1 – Agriculture 1	Agricultural
South	A1 – Agriculture 1	Agricultural
West	RR3 – Rural Residential P2 – Educational & Minor Institutional RM3 – Low Density Multiple Housing	Residential Religious Assembly Multi-family Residential

Map 6. Subject Property Map



Map 7. Future Land Use Map



Map 8. Natural Environment Development Permit Area (Brandt's Creek)**4.4 Zoning Analysis Table**

The requirements for the zone are included in the table below:

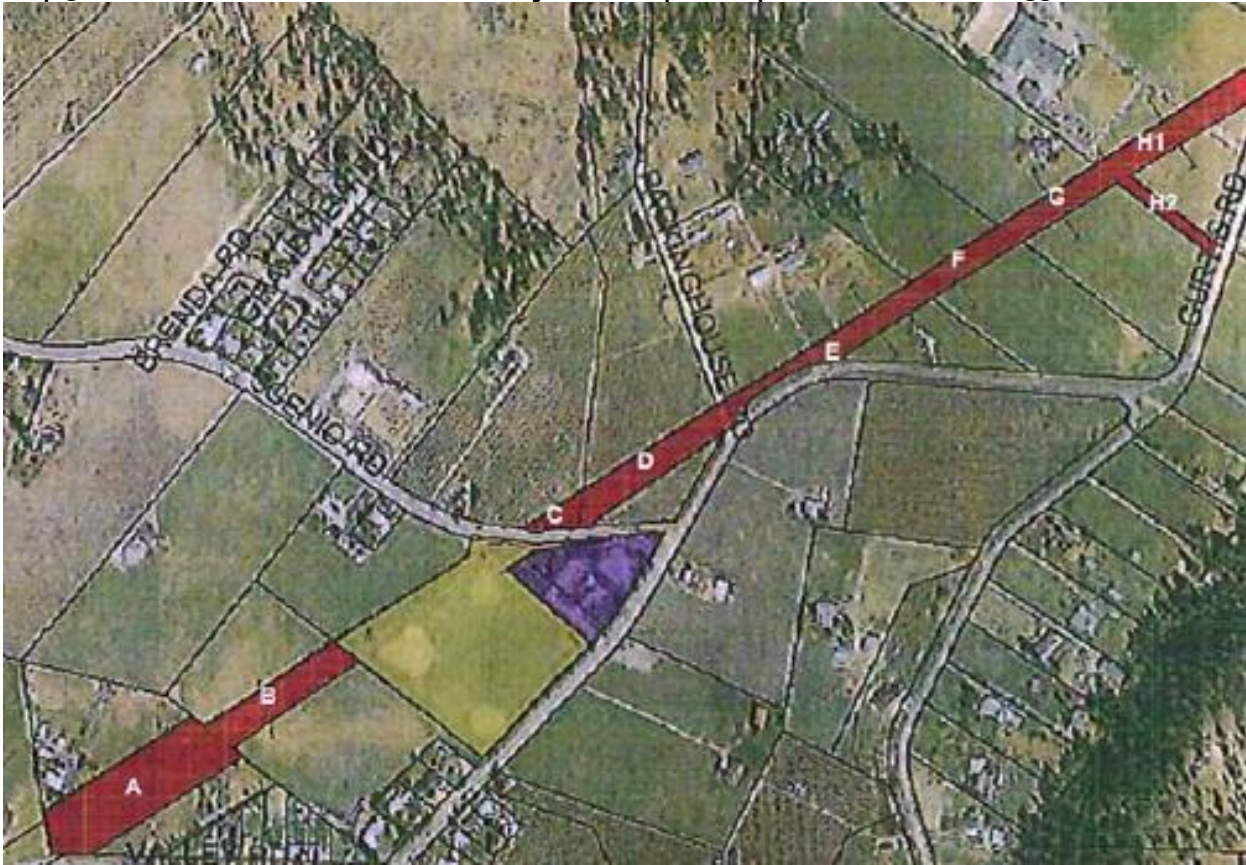
Zoning Analysis Table		
CRITERIA	P ₅ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1 ha	11.5 ha
Lot Width	13.0 m	410 m
Lot Depth	30.0 m	300 m

4.5 ALC Non-Farm Use Approval Conditions

The ALC Non-farm Use Approval for the recreation park was subject to a number of agricultural mitigation conditions by the ALC. Staff have been working on the mitigation measures, and have been communicating updates to ALC staff. A summary is provided below, based on correspondence from the ALC³:

Item #	Item	Status	Notes
1.	Fencing	Due for installation – Phase I (2017)	Confirm completion through an update to the ALC in Fall 2017
2.	Development Plan Revision	ALC Comment – provide adequate access for large farm vehicles to adjacent farms	Confirm completion through an update to the ALC in Fall 2017
3.	Vegetative Buffer	Due for installation – Phase I (2017)	ALC is satisfied with proposed, detailed comments provided.
4.	Consolidation of Right of Way with adjacent farms (see Map 9 below)	Of 9 parcels targeted for consolidation, 3 complete, 2 are due 2017, and 4 have ongoing discussions with adjacent owners	ALC satisfied with status – requires annual update
5.	Rehabilitation of existing sports fields to agriculture (500 Valley Road North)	Rehabilitate to agricultural standard and register a covenant prohibiting the construction of a dwelling on the property. Scheduled for 2017.	ALC requires an agrologist to oversee rehabilitation
6.	Firehall Relocation (550-552 Valley Rd North)	Ongoing -Long Term Objective – planning underway to find alternate fire hall location	ALC is satisfied with status, but requires an agrologist to oversee rehabilitation when scheduled
7.	Fencing of Firehall (550-552 Valley Rd)	Fencing required once agricultural rehabilitation occurs	ALC is satisfied with status
8.	Substantial Commencement of Glenmore Recreation Park	The date for substantial commencement of construction was extended by the ALC to Oct. 25, 2017	ALC approves first phase but requires substantial progress update prior to future phases moving forward
9.	Consolidation to a single parcel	Complete	Consolidation completed and ALC is satisfied with this item
10.	Approval is only for the City of Kelowna	Confirmed	ALC is satisfied with this item

³ ALC, J. Bedore. Jan. 4, 2017, Letter regarding ALC File 52452 – Glenmore Recreation Park.

Map 9. Parcels to be Consolidated with Adjacent Properties per ALC Resolution #352/2011 (in red)

4.6 Public Notification

Public notification for a Public Information Meeting was undertaken in compliance with Policy 367 for the subject property. The Public Information Meeting was held on Wednesday, March 8, 2017, from 4:00 - 6:30pm, at the Abbey Church, 228 Valley Road (located across Valley Road from the subject property). The subject parcel is located within the Permanent Growth Boundary.

Neighbours within 50m of the subject property were notified with a hand delivered information package. Landowners with mailing addresses beyond 50m of the notification boundary were mailed the information package. A notice of the Public Information Meeting was placed in the Kelowna Capital News before the meeting and ran for two consecutive weeks.

Nineteen (19) people attended the meeting, including 4 of 5 landowners directly to the east of the subject property. Most attendees were familiar with the project's site plan and attended to see if there were any changes or new information that they should be aware of, such as the project schedule. The information presented was consistent with information presented during previous public engagement activities.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.33 Protect and enhance local agriculture⁴.

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development by supporting a “no net loss” approach, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Policy .2 ALR Exclusions. The City of Kelowna will not forward ALR exclusion applications to the ALC except in extraordinary circumstances where such exclusion is otherwise consistent with the goals, objectives and other policies of this OCP. Soil capability alone should not be used as justification for exclusion.

Objective 7.12 Provide active and passive parks for a diversity of people and a variety of uses⁵.

Policy .1 Active Park Standard. Using Development Cost Charge revenue provide 2.2 ha of parks per 1000 new population growth. As a guideline the 2.2 ha standard will include provision for 0.6 ha neighbourhood, 0.4 ha community, 0.6 ha recreation and 0.6 city-wide types of parks.

Policy .4 Parks in Agricultural Areas. Where parks and linear pathways are proposed adjacent to farm areas they will be designed so as not to negatively affect farming operations. Mitigation techniques may include: deer fencing, signage, and trash bins to ensure trespass and field contamination is minimized. Any parks affecting lands in the ALR will be subject to detailed design based on the Ministry of Agriculture’s guidelines.

Policy .6 Glenmore Recreation Park. As a key park initiative establish a major Recreation Park in the Glenmore Valley that complements the existing park system. This site is identified on Map 4.1 Generalized Future Land Use. The City recognizes that use of this site for park purposes will require provision of off-setting agricultural benefits on adjacent or nearby ALR land in the Glenmore Valley to the satisfaction of the Agricultural Land Commission.

5.2 City of Kelowna Agriculture Plan

Urban - Rural/Agricultural Boundary Policies⁶

Glenmore District Park. Seek Agricultural Land Commission concurrence toward the release of ALR land to serve as a District Park site at a location that maximizes facility potential, possibly in conjunction with other civic resources.

East of Valley Road. Encourage non-soil bound agricultural activities in the bottom lands east of Valley Road, and support the creation of smaller lots west of the toe of the slope for hobby farms, as a transition to more productive lands to the east.

⁴ City of Kelowna 2030 Official Community Plan: Greening Our Future (2011); p. 5.33.

⁵ City of Kelowna 2030 Official Community Plan: Greening Our Future (2011); pp. 7.8 & 7.9.

⁶ City of Kelowna Agriculture Plan (1998); p. 133.

5.3 City of Kelowna – Glenmore/Clifton/Dilworth Sector Plan

Agriculture⁷

Pursue either the release of property from the ALR or permission for park use within the ALR to provide for the creation of a District Park.

Parks, Recreation and Open Space⁸

Seek Agricultural Land Commission concurrence toward the release of ALR land to serve as a District Park site at a location that maximizes facility potential, possibly in conjunction with other civic resources.

5.4 City of Kelowna – Glenmore Valley Sector Plan

Objective 5 – Public Open Space⁹

Park standards outlined in the Official Community Plan provide for 2.2 hectares (5.5 acres) per 1,000 people on an overall basis, comprised of neighbourhood, district and City-wide facilities. With a potential population of 12,000 new people in the Glenmore Valley, the overall park requirement would be 27 hectares (68 acres). The land area allocations previously outlined include the provision of 18 hectares (45 acres) of parks within the development area. **This will require approximately 9 hectares (23 acres) in the form of a major district park to be located and provided within this overall section of the City in the future as the resident population grows and the needs will require.**

6.0 **Technical Comments**

6.1 Development Engineering Department

See attached Development Engineering Memorandum.

6.2 Fire Department

The Fire Department has no issues with the zoning. Please ensure that there is a hammerhead or a turnaround for fire trucks.

6.3 Interior Health Authority

See attached letter of support.

6.4 Glenmore Ellison Irrigation District (GEID)

GEID does not require fees and conditions prior to re-zoning or development permit approval. However, GEID will have fees and conditions required prior to issuance of a Water Service Certificate to facilitate building permit issuance / subdivision (for road dedication) approval. See attached letter for additional details.

⁷ City of Kelowna - Glenmore/Clifton/Dilworth Sector Plan (1998); p. 102.

⁸ City of Kelowna - Glenmore/Clifton/Dilworth Sector Plan (1998); p. 113.

⁹ City of Kelowna - Glenmore Valley Sector Plan (1998); p. 20.

7.0 Application Chronology

Date of Application Received: January 13, 2017
Date of Public Open House: March 8, 2017
Date Public Consultation Completed: March 13, 2017

Report prepared by: Melanie Steppuhn, Planner Specialist
Reviewed by: Todd Cashin, Subdivision, Suburban and Rural Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager
Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Development Permit - Draft
Development Engineering Services Memo
Interior Health – Letter of Support
Glenmore Ellison Irrigation District Letter

DRAFT - DEVELOPMENT PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT NO. DP17-0003

Issued To: City of Kelowna
Site Address: 289 – 291 Valley Road, Kelowna BC
Legal Description: Lot A Sections 4 TWP 23 and Section 33 TWP 26 ODYD Plan EPP16971
Zoning Classification: P5 – Municipal District Park
Development Permit Area: Farm Protection / Natural Areas Development Permit Area

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Permit No. **DP17-0003** for *Lot A Sections 4 TWP 23 and Section 33 TWP 26 ODYD Plan EPP16971*, located at 289 – 291 Valley Road, Kelowna, BC to allow the construction of a Municipal District Park be approved subject to the following:

- a) The dimensions and siting of the attenuation pond, fencing, vegetative buffer, and roadway and to be constructed on the land be in accordance with Schedule "A";
- b) Landscaping and fencing for the Agricultural Buffer to be provided on the land be in accordance with Schedule "B"; and
- c) Attenuation pond, associated riparian planting and stormwater attenuation structures, including the oil/water separator, to be provided on the land be in accordance with Schedule "C"; and
- d) An Environmental Monitor (Qualified Environmental Professional) is required to ensure the works are monitored throughout the duration of the project. A copy of this development permit must be submitted to the designated Environmental Monitoring consultant prior to construction starting.

Environmental Monitoring Reports must be submitted to the City of Kelowna Community Planning Department;

- e) The designated Environmental Monitor and grading contractor / developer shall meet prior to construction starting to review limits of disturbance, erosion and sediment controls and Development Permit conditions / requirements for the project site;
- f) Physically demarcate "No Disturbance Areas" around Brandt's Creek with snow fencing or another visible material to avoid accidental disturbance;
- g) No sediment laden water is to enter streams at any time. Erosion and sediment controls must be in place prior to construction starting;
- h) All work must correspond to the Water Act Authorization from the Province of BC;
- i) Any noxious weeds that are present at the site should be removed from the site and disposed of appropriately, in accordance to the City of Kelowna's Noxious Weed and Grass Control Bylaw.

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

5. APPROVALS

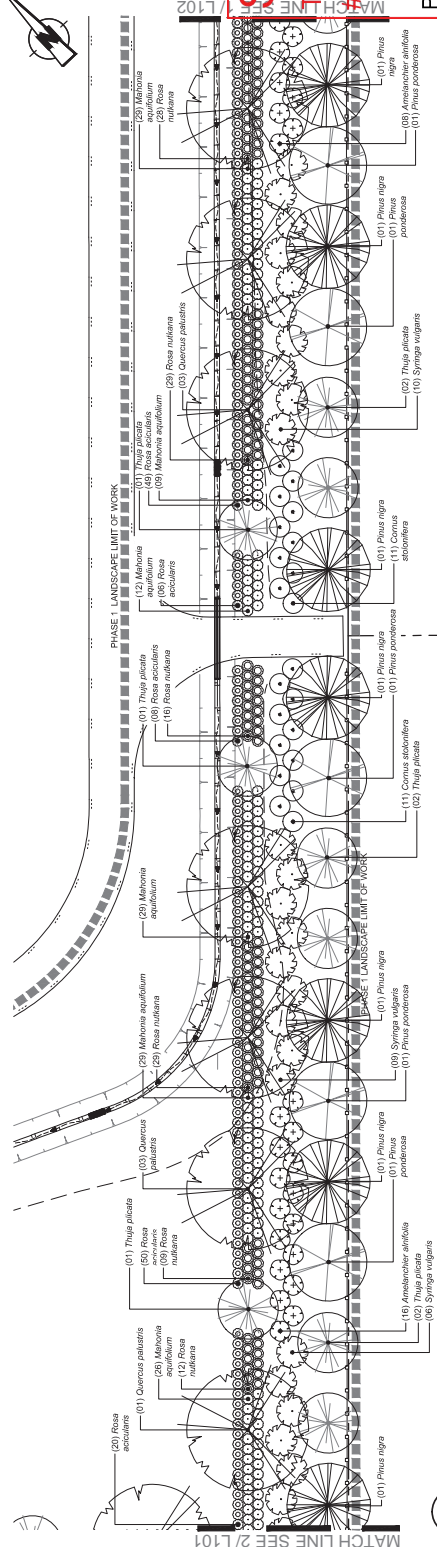
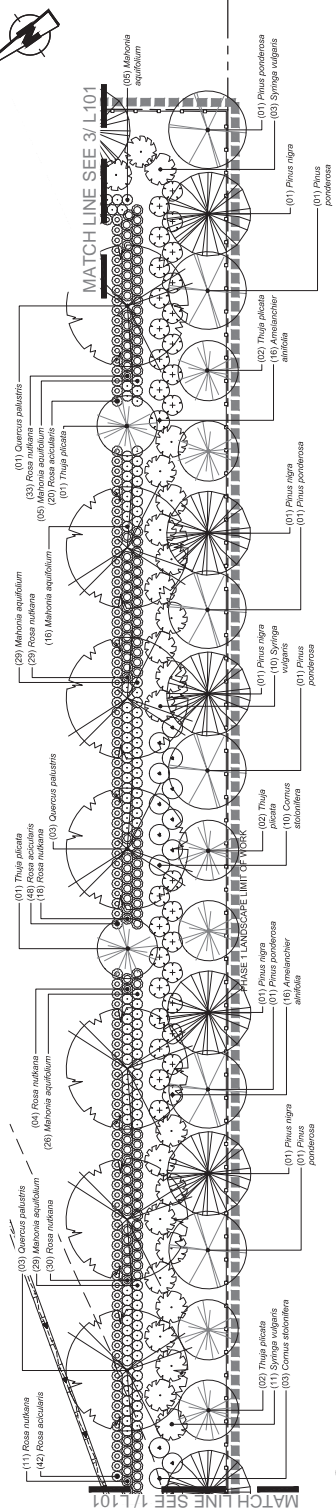
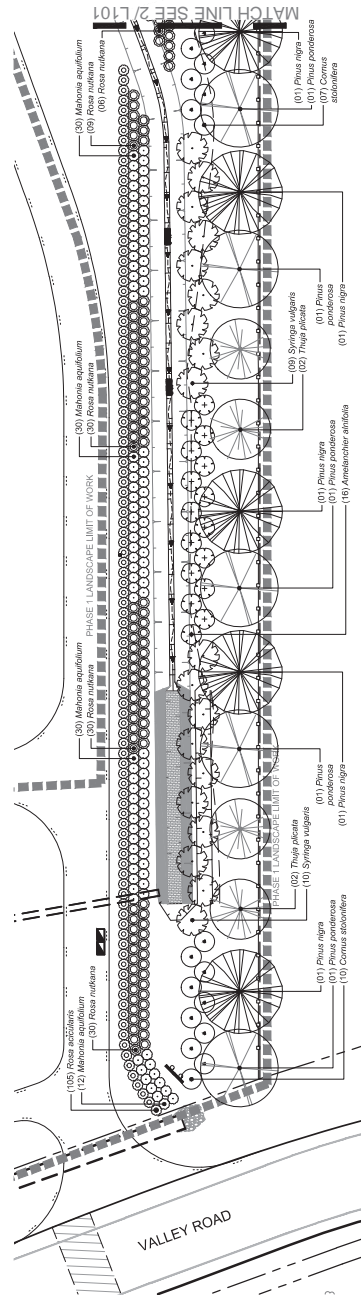
Issued and approved by Council on the _____ day of _____, 2017.

Todd Cashin, Suburban and Rural Planning Manager
Community Planning & Real Estate







Date


**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates**





GLENGORE RECREATION PARK - PHASE 1 PLANT LIST						
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	STATURE (Ht. in ft.)	SPREAD (Wd. in ft.)
1	ALY. BUTYRACEA	FLY BUTTERFLY	10' x 10'	10' x 10'	10' x 10'	10' x 10'
25	<i>Trees Deciduous</i>					
25	<i>Trunks Conifers</i>					
25	<i>Pinus strobus</i>	Pin. Oak	7.0m Coll	B&S	15.0m x 12.0m	
25	<i>Pinus rigida</i>	Australian Pine	2.0m		20.0m x 6.0 m	
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25	<i>Pinus ponderosa</i>	Ponderosa Pine	2.0m		20.0m x 8.0 m	
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41	<i>Pinus taeda</i>	Redwood Pine	2.0m			

GRP - PHASE 1 - ALR BUFFER SHRUBS LEGEND	
KEY	BOTANICAL NAME
	<i>Amelanchier alnifolia</i>
	<i>Cornus stolonifera</i>
	<i>Mahonia aquifolium</i>
	<i>Rosa acicularis</i>
	<i>Rosa nutkana</i>
	<i>Syringa vulgaris</i>

GRP - PHASE 1 - ALR BUFFER TREES LEGEND	
KEY	BOTANICAL NAME
Deciduous	 Quercus palustris

SCHEDULE B

This forms part of application
DP17-0003





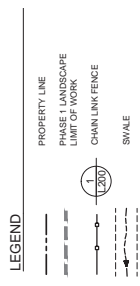
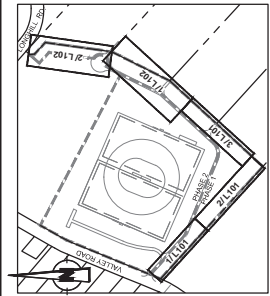
City of

Kelowna
COMMUNITY PLANNING

MS

Planner
Initials

 City of Kelowna											 WSP WSP GROUP 1450 Highway 10, Kelowna, BC V1Y 6K8 1.250.888.1334 / 250.888.1366 / www.wsp.ca		<table><tr><td>DESIGN APPROVED</td><td>RF</td><td>RD</td></tr><tr><td>DATE</td><td colspan="2">APRIL, 2016</td></tr></table>		DESIGN APPROVED	RF	RD	DATE	APRIL, 2016		<table><tr><td>BASE</td><td>ED/ITY</td></tr><tr><td>SCALE</td><td>1:250</td></tr></table>		BASE	ED/ITY	SCALE	1:250	<table><tr><td>DIVISION</td><td>INFRASTRUCTURE</td></tr><tr><td>DRAWING NO.</td><td>L101</td></tr></table>		DIVISION	INFRASTRUCTURE	DRAWING NO.	L101
	DESIGN APPROVED	RF	RD																													
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DIVISION	INFRASTRUCTURE																															
DRAWING NO.	L101																															
THE CITY OF KELOWNA DESIGN AND CONSTRUCTION												GLENMORE RECREATION PARK - PHASE 1 LAYOUT AND PLANTING PLAN ALR BUFFER AREA																				



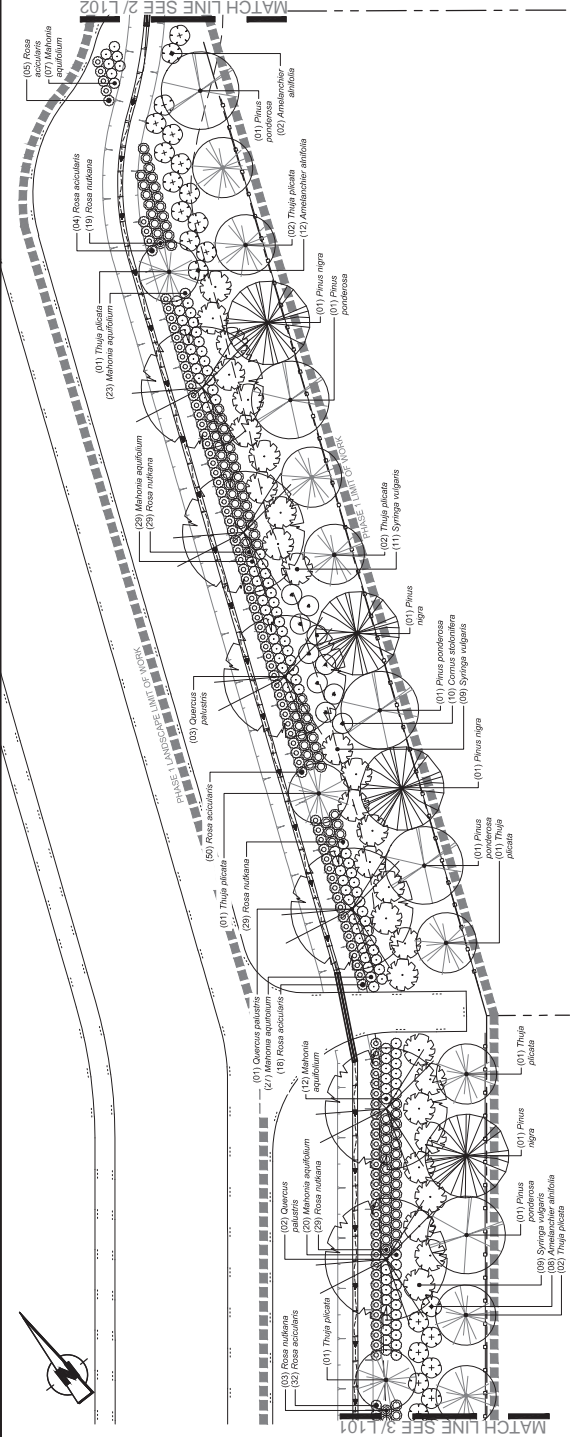
GENERAL PLANTING AND GROWING MEDIUM NOTES :
SEE SHEET L100

SRP - PHASE 1 - ALR BUFFER SHRUBS LEGEND

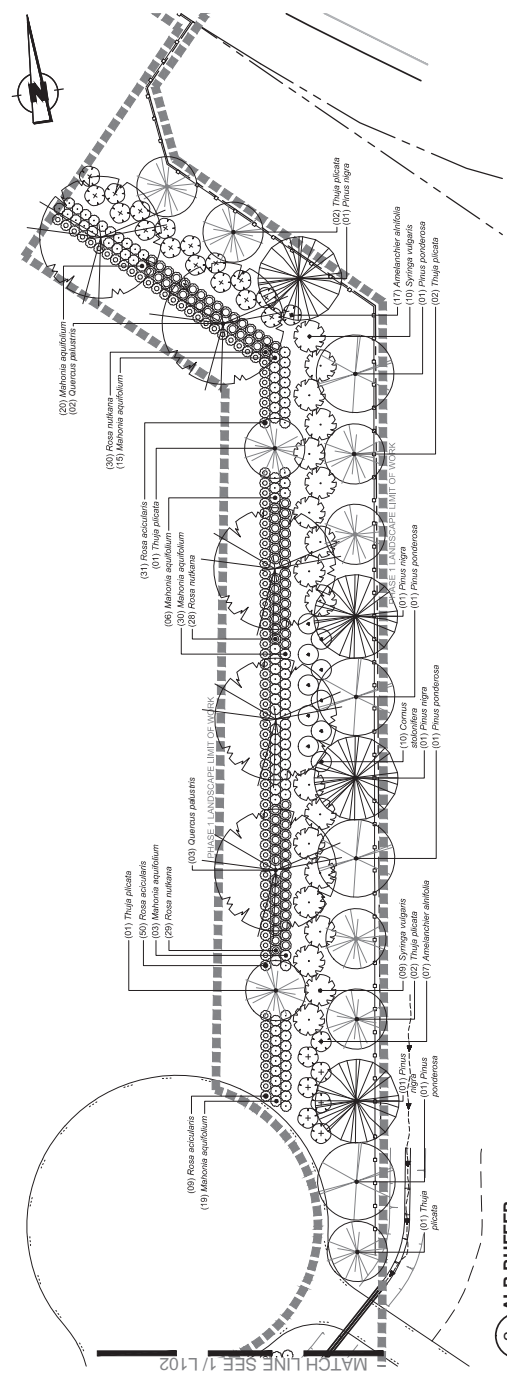
KEY	BOTANICAL NAME
(01)	Amelanchier alnifolia
(02)	Cornus stolonifera
(03)	Malonia aquifolium
(04)	Rosa aciculata
(05)	Rosa nutkana
(06)	Syringa vulgaris

GRP - PHASE 1 - ALR BUFFER TREES LEGEND

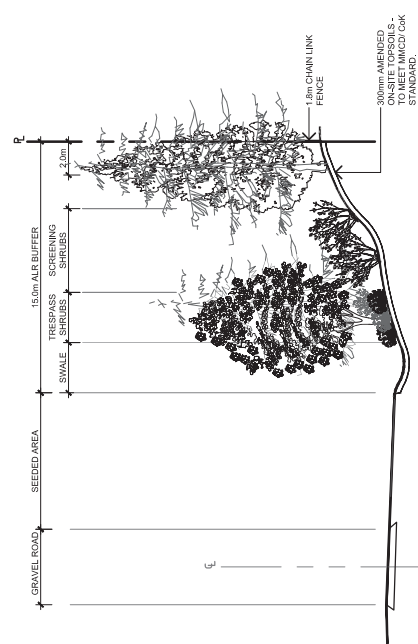
KEY	BOTANICAL NAME
(01)	Quercus palustris
(02)	Thuja plicata
(03)	Pinus nigra
(04)	Pinus ponderosa



1 ALR BUFFER
L102 SCALE: 1:250

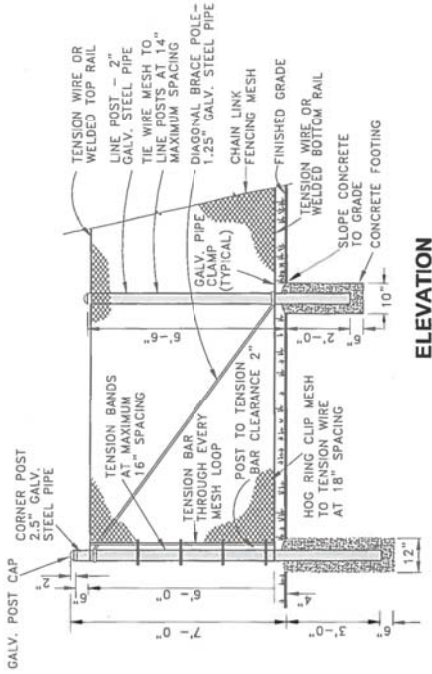


2 ALR BUFFER
L102 SCALE: 1:250

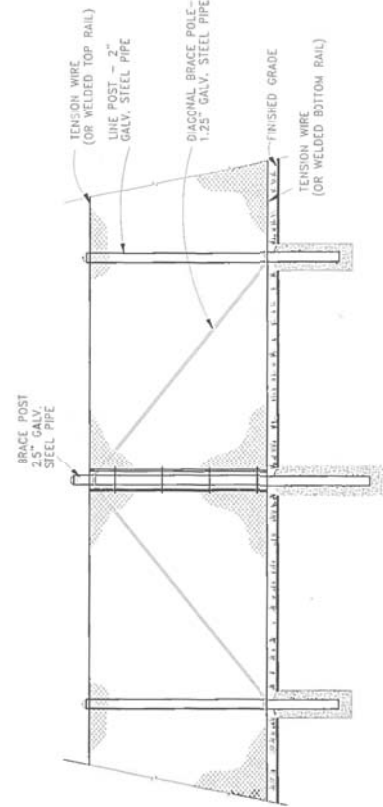


3 ALR BUFFER SECTION
L102 SCALE: 1:150

		THE CITY OF KELOWNA DESIGN AND CONSTRUCTION		DIVISION	INFRASTRUCTURE
ISSUED FOR DP 1 2017-01-09 Y1 ISSUED FOR CITY REVIEW FOR PRELIMINARY DESIGN 0 2016-10-28 Y1		SCALE 1:250		DRAWING NO.	L102
NO. 11/AM/20 BY		REVISION		REV NO.	KEY NO.
L102		L102		L102	



ELEVATION



ELEVATION

1 CHAIN LINK FENCE
L200 SCALE: N.T.S.

CHAIN LINK FENCE NOTES:

1. WIRE POSTS SHALL BE CONSTRUCTED FROM 1/2" DIA. STANDARD GALVANIZED STEEL PIPE (0.125" WALL THICKNESS), 8.5' (2.5m) IN LENGTH, GALVANIZED TO CSA G164 STANDARD.
2. CORNER AND STRAINING POSTS SHALL BE CONSTRUCTED FROM 2.5" (64mm) STANDARD GALVANIZED STEEL PIPE GALVANIZED TO CSA G164 STANDARD.
3. ALL POSTS SHALL BE SET IN 12" DIA. CONCRETE FOOTINGS, 12" DEEP, SET IN THE SUBGRADE.
4. DIAGONAL CORNER BRACINGS SHALL BE CONSTRUCTED FROM 1.25" (32mm) STANDARD GALVANIZED STEEL PIPE GALVANIZED TO CSA G164 STANDARD.
5. THE CHAIN LINK FENCE SHALL BE CONSTRUCTED USING 3.00 PSI CONCRETE EXTENDING FROM THE SOIL SURFACE TO 6" (150mm) BELOW THE BOTTOM OF THE POST. SHALL BE SPOCED NO MORE THAN 60" (1525mm) O.C.
6. ALL ACCESSORY MATERIALS SHALL MEET THE FOLLOWING SPECIFICATIONS:
 - 6.1. MINIMUM HEIGHT: 5' (1.5m)
 - 6.2. MINIMUM WIRE GAUGE: 11.0 AWG
 - 6.3. WIRE: 11.0 AWG
 - 6.4. BE GALVANIZED TO CSA G164
 - 6.5. COLOUR: BLACK
7. ALL ACCESSORY MATERIALS SHALL MEET THE FOLLOWING SPECIFICATIONS:
 - 7.1. POST CAPS AND EXTENSION ARMS OF PRESSED STEEL OR CAST OR MALLEABLE IRON AND GALVANIZED TO CSA G164 STANDARD.
 - 7.2. TENSION WIRE BOTTOM AND TOP WIRE 6.0 GAUGE (9mm) MEDIUM TENSILE GALVANIZED TO CSA G164 STANDARD.
 - 7.3. WIRE: 6.0 GAUGE ALUMINUM WIRE FOR MESH FIXING TO LINE POSTS.
 - 7.4. HOG RING CLIPS 3.0 GAUGE GALVANIZED STEEL WIRE CLIPS FOR MESH FIXING TO TOP AND BOTTOM TENSION.
 - 7.5. TENSION BANDS: 1/2" x 3/4" (12.5mm x 19mm) GALVANIZED MILD STEEL FLAT BAR.
 - 7.6. TENSION BANDS: 1/2" x 3/4" (12.5mm x 19mm) GALVANIZED MILD STEEL FLAT BAR.
 - 7.7. GALVANIZED BOLTS AND NUTS FOR ALL TENSION BAR FRAMING, ALL LINE POSTS AND ANY INTERMEDIATE TENSIONING POSTS SHALL BE SET PLUMB INTO CONCRETE FOOTING NAILING OR DUG HOLES TO THE DEPTHS AND REGULAR SPACING.
 - 7.8. INTERMEDIATE TENSIONING POSTS SHALL BE SECURELY FITTED WITH THE APPROPRIATE WEATHER-TIGHT CAPS AND EXTENSION ARMS.
 - 7.9. IF TOP AND BOTTOM WELDED RAILS ARE NOT USED, TOP AND BOTTOM TENSION WIRES SHALL BE SECURELY FITTED WITH THE APPROPRIATE WEATHER-TIGHT CAPS AND EXTENSION ARMS.
 - 7.10. POSTS TOP TENSION WIRE SHALL PASS THROUGH LINE POST TOPS.
 - 7.11. STRAINING POST WITH DIAGONAL PIPE BRACES TO ADJOINING LINE POSTS EACH WAY.
 - 7.12. CHAIN LINK FENCING MESH SHALL BE STRETCHED BETWEEN TERMINAL POSTS AND ANY INTERMEDIATE TENSIONING POSTS TO FORM A NEAT TIGHT MESH.
 - 7.13. TENSIONING POSTS SHALL BE STRETCHED BETWEEN TERMINAL POSTS AND ANY INTERMEDIATE TENSIONING POSTS TO FORM A NEAT TIGHT MESH.
 - 7.14. BANDS, TIE WIRE AND CLIPS JOINS IN THE LENGTH OF WIRE MESH SHALL BE MADE BY WEAVING THE MESH TOGETHER WITH A SINGLE WIRE PICKET TO FORM A NEAT CONTINUOUS MESH.



NO.	REVISION	BY	DATE
1	ISSUED FOR OP	YY	2017-01-26
0	ISSUED FOR CITY REVIEW SIZE PRELIMINARY DESIGN	YY	2016-10-26
0	ISSUED FOR CITY REVIEW SIZE PRELIMINARY DESIGN	YY	2016-10-26

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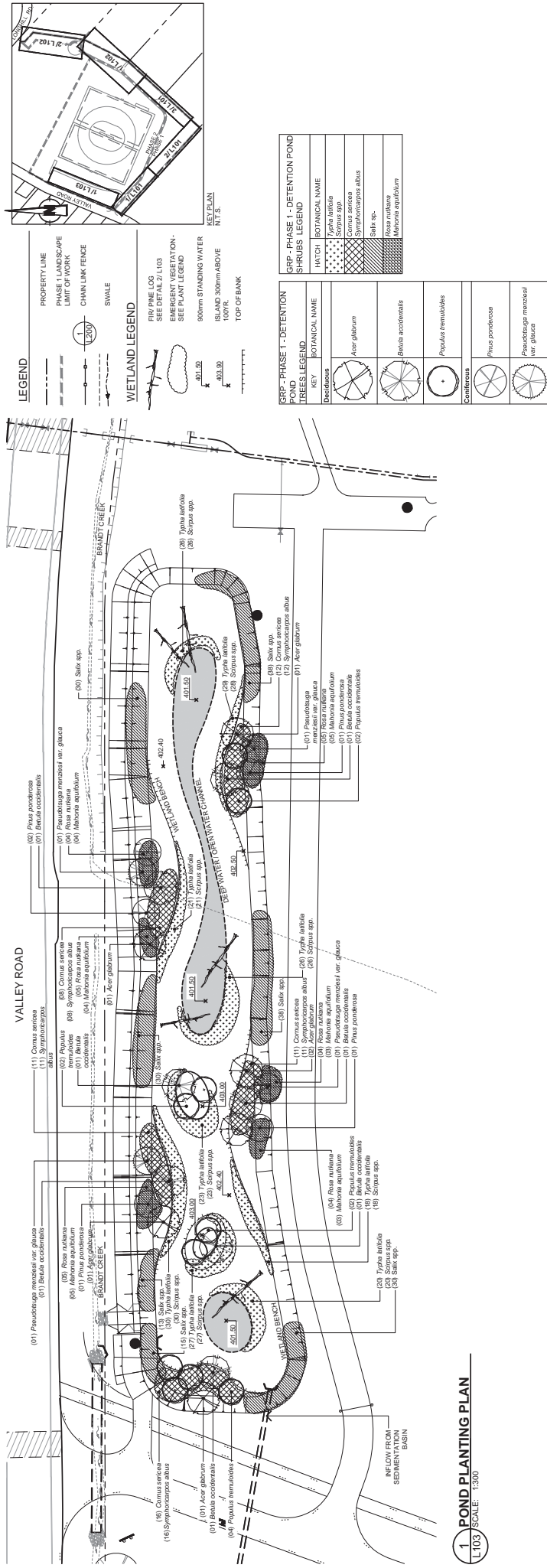
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DETENTION POND PLANTING NOTES:

1. SPECIFIC PLANTS CHOSEN BY THE CONTRACTOR SHOULD BE REVIEWED BY THE ENVIRONMENTAL MONITOR PRIOR TO PLANTING.

GENERAL, PLANTING, AND GROWING MEDIUM NOTES :
SEE SHEET L100

SCHEDULE

C

This forms part of application

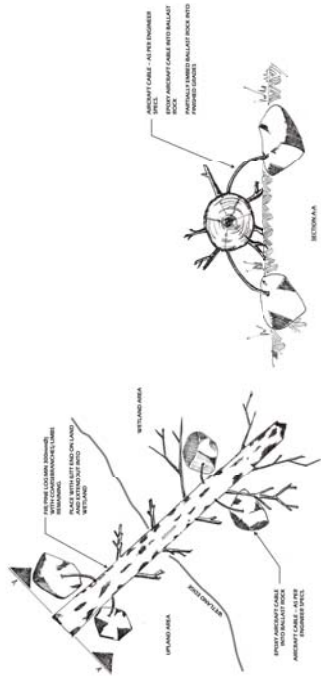
DP17-0003

Planner Initials

MS

City of Kelowna

COMMUNITY PLANNING



CITY OF KELOWNA
MEMORANDUM

Date: February 23, 2017
File No.: Z17-0002 Rev 1
To: Urban Planning Management (MS)
From: Development Engineering Manager (SM)
Subject: 289-291 Valley Road A1 to P5

The Development Engineering Department has the following comments and requirements associated with this application to rezone the property at 289-291 Valley Road from A1 to IP5 in order for Park designation.

The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Ryan O'Sullivan

1. Domestic Water and Fire Protection

- a) The property is located within the Glenmore Ellison Irrigation District (GEID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer (City of Kelowna) is responsible, if necessary, to arrange with GEID staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted to a consolidated lot.
- b) A water meter is mandatory for each property and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.
- c) Boulevard landscape irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

The developer's (City of Kelowna) consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Our records indicate the subject property does not have an existing sanitary sewer service. The applicant will arrange, if necessary, for any service improvements that are required at the applicants cost to all properties in Glenmore Rec Park agreement.

3. Storm Drainage

The developer (City of Kelowna) must engage a consulting civil engineer to provide a storm water management plan which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan,) overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems. The on-site drainage systems may be connected to the existing Brandt Creek on Valley Rd with an Section 11 approval from MOE service at the applicants cost.

ALR landscape buffer need to in place upon completion of phase 1 construction.

4. Road Improvements

- a) New road to access 789-291 Valley Rd must be dedicated as road right of way upon completion of Phase 2 (when open to public) of construction of Glenmore Rec Park.
- b) Driveway access to 279,253,259,229,2366 Valley Road must be accessible at all times to either Valley road or Longhill Drive.
- c) An access agreement must be in place to all effected properties until road is dedicated.
- d) Valley road intersection and the new Glenmore Rec park road must comply with by-law 9700 local road construction standards upon any public access to new road and park.

5. Road Dedication and Subdivision Requirements

- a) Dedicate new road to road right of way upon completion of Phase 2 of Glenmore Rec park
- b) Grant Statutory Rights of Way if required for utility services.
- c) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- d) Right and Left turn lanes into development from Valley Road are required upon completion of Phase 2 (when open to public).

6. Electric Power and Telecommunication Services

All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development, unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

8. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

9. Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

10. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST)

Steve Muenz, P.Eng,
Development Engineering Manager

RO



January 23, 2017

Melanie Steppuhn
Community Sustainability
1435 Water St
Kelowna BC V1Y 1J4

Dear Melanie,

RE: Z17-0002/DP17-0003/S17-0006, 289-291 Valley Rd

Thank you for the opportunity to provide a health perspective for the Glenmore Recreation Park.

Interior Health is in support of this application which will create opportunities for residents to access physical activity options for both recreation and sport.

Please contact me if you have any questions or comments.

Sincerely,

Pam Moore
Healthy Built Environment Team

Bus: (250 469-7070 ext. 12284

Web: interiorhealth.ca

HEALTH PROTECTION
"Less Risk, Better Health"
505 Doyle Avenue. V1Y 0C5 Kelowna



Glenmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6

Email: glenmore.ellison@shaw.ca

Website: www.glenmoreellison.com

Phone: 250-763-6506

Fax: 250-763-5688

OUR FILE No.: 53-19-01
CITY OF KELOWNA FILE No.: Z17-0002
DP17-0003
S17-0006
P.I.D.: 028-955-714

February 16, 2017

City of Kelowna Community Planning
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Melanie Steppuhn (via email: [msteppuhn](mailto:msteppuhn@kelowna.ca); planninginfo@kelowna.ca)

Dear Melanie:

Re: Conditions of water service (re-zoning, development permit and subdivision) at 289-291 Valley Road (Lot A, Plan EPP16971, City of Kelowna – Glenmore Recreation Park)

Glenmore-Ellison Improvement District (GEID) has received a Re-zoning / Development Permit / Subdivision referral from the City of Kelowna for the above noted property. GEID does not require fees and conditions prior to Re-zoning / Development Permit approval; however, GEID will have fees and conditions required PRIOR TO ISSUANCE of a Water Service Certificate to facilitate building permit issuance / subdivision approval. Please see attached letter which deals with the provision of irrigation water and subdivision (road) for Glenmore Recreation Park. This letter was sent to WSP Canada Inc., on June 8, 2016; cc. sent to City of Kelowna (via email to agibbs@kelowna.ca).

This application is subject to GEID's Standard Terms and Conditions.

If you have any questions regarding the above fees and conditions, please feel free to contact our office at 250-763-6506. Please reference our file number on all correspondence.

Sincerely,

GLENMORE-ELLISON IMPROVEMENT DISTRICT

Mike Rojem
Projects Coordinator

sv/mr

Enclosures: Letter dated June 6, 2016

GEID Standard Terms and Conditions

cc: Applicant: WSP Attention: Jared Bunch (via email: jared.bunch@wspgroup.com)

CITY OF KELOWNA
BYLAW NO. 11372
Z17-0002 – 289-291 Valley Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Sections 4, Township 23 and Section 33 ODYD, Plan EPP16971 located on Valley Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the P5 – Municipal District Park zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: March 20, 2017
File: 1250-20
To: City Manager
From: Community Planning (LB)
Subject: Bylaw Adoption for OCP16-0027 / Z16-0075 (E of) Upper Canyon Drive

Recommendation:

THAT Council waives the requirement for a Development Permit and Development Variance Permit to be considered in conjunction with Final Adoption of Official Community Plan Map Amending Bylaw No. 11355 and Rezoning Bylaw No. 11357;

AND THAT Final Adoption of Official Community Plan Map Amending Bylaw No. 11355 and Rezoning Bylaw No. 11357 be considered by Council.

Purpose:

To waive a condition of adoption of Official Community Plan Map Amending Bylaw No. 11355 and Rezoning Bylaw No. 11357, and to forward the Bylaws for adoption.

Background:

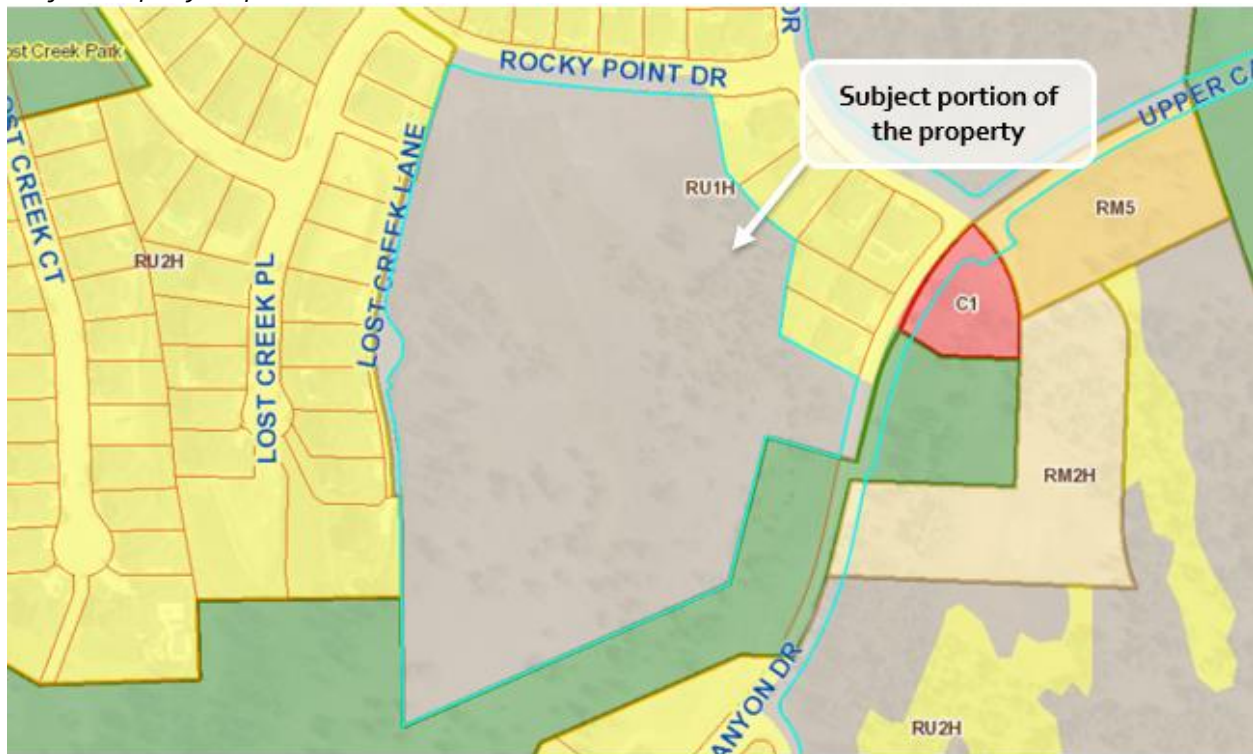
On February 21, 2017, Council gave second and third readings to Bylaws No. 11355 and 11357 to amend the Future Land Use designation and rezone portions of (E of) Upper Canyon Drive to facilitate a strata development with parkland dedication. The Future Land Use designations are Major Park / Open Space (Public) and Single / Two Unit Residential – Hillside, and the corresponding zones are P₃ – Parks and Open Space and RU_{4h} – Low Density Cluster Housing (Hillside Area).

The applicant would like to work with neighbourhood residents and Council to address concerns raised through the Public Hearing process. They have requested the Bylaws be adopted to allow further discussion with Council regarding matters related to the Development Permit (DP), including site layout and landscaping.

Staff support the request that Council waive the requirement for a DP and Development Variance Permit (DVP) to be considered in conjunction with final adoption of the Bylaws. The DP and DVP will be brought forward for Council consideration at a later date, prior to development of the site.

The applicant has satisfied the other condition of adoption by meeting the requirements of the Development Engineering Department.

Subject Property Map



Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

L. Bentley, Planner II

Reviewed by:

Todd Cashin, Subdivision, Suburban and Rural Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

CITY OF KELOWNA

BYLAW NO. 11355

Official Community Plan Amendment No. OCP16-0027 – Upper Canyon Dr (E of)

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Future Land Use designation of portions of The South West 1/4 of Section 5 Township 23 ODYD Except Plans KAP83526, KAP88266, EPP9195, EPP24895, EPP24897 and EPP55131, located at Upper Canyon Dr (E of), Kelowna, BC from the S2RESH – Single / Two Unit Residential – Hillside designation to the PARK – Major Park / Open Space (Public) designation as shown on Map "A" attached;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of February, 2017.

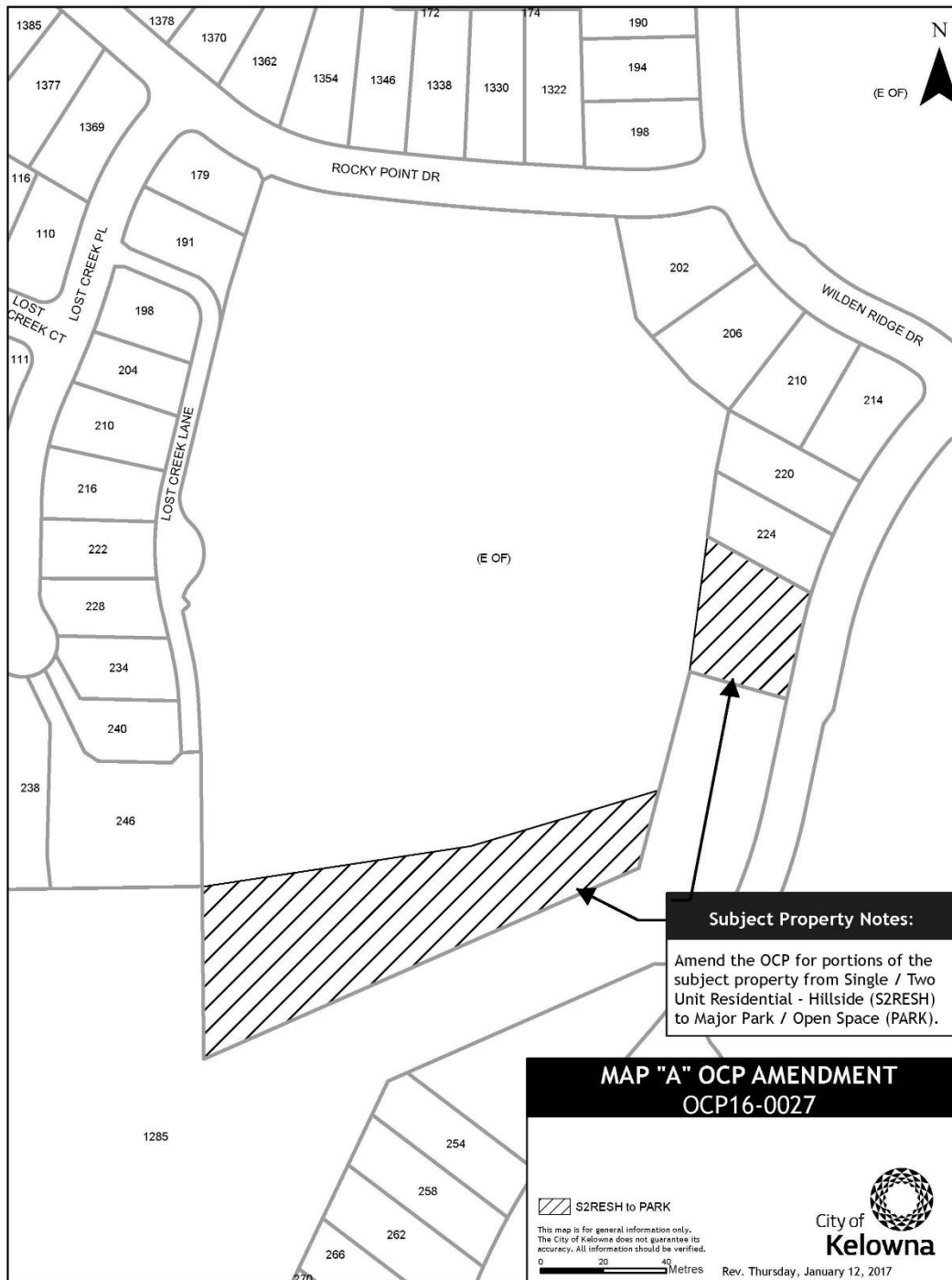
Considered at a Public Hearing on the 21st day of February, 2017.

Read a second and third time by the Municipal Council this 21st day of February, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11357
Z16-0075 – Upper Canyon Drive (E of)

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing of portions of The South West 1/4 of Section 5 Township 23 ODYD Except Plans KAP83526, KAP88266, EPP9195, EPP24895, EPP24897 and EPP55131, located at Upper Canyon Dr (E of), Kelowna, BC from the RU1h – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space and RU4h – Low Density Cluster Housing (Hillside Area) zones as shown on Map "B" attached;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of February, 2017.

Considered at a Public Hearing on the 21st day of February, 2017.

Read a second and third time by the Municipal Council this 21st day of February, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

